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ABSTRACT

This document contains witness testimonies and prepared statements from the Senate hearing called to inquire into the procedures used by the administration to freeze funds which had been mandated by Congress for juvenile justice programs. In opening statements, Senator Arlen Specter called the administration's actions illegal and Senator Jeremiah Denton stressed the need for adequate funding for juvenile justice. Opening statements are also included from Senators Simon and McConnell. Alfred S. Regnery, administrator from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), United States Department of Justice, presents the position of the executive branch in this matter. The legal issues of freezes and rescission notices are debated. A. L. Carlisle, chairperson of the National Coalition of State Juvenile Justice Advisory Groups, and Marvin Wolfgang, professor of criminology and law from the University of Pennsylvania, testify about the freezing of Juvenile Justice and Delinquency Prevention Act (JJDPA) funds by the Department of Justice. Donald Mathis, project coordinator of the Centinela Valley Juvenile Diversion Program testifies about the need for JJDPA funds to help support his program. Dean Dickson, executive director of the Mid-Atlantic Association of Youth Services, testifies that the proposed rescission of all fiscal year 1986 funds for the OJJDP would impose a hardship on existing and proposed juvenile justice programs. An extensive set of letters and other materials submitted for the record are included. (NB)

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ABOLISHING THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

HEARING

BEFORE THE

SUBCOMMITTEE ON JUVENILE JUSTICE

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

NINETY-NINTH CONGRESS

SECOND SESSION

ON

FREEZING FUNDS WHICH CONGRESS HAS MANDATED FOR CERTAIN VITAL JUVENILE JUSTICE PROGRAMS

MARCH 5, 1986

Serial No. J-99-90

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CONTENTS

OPENING STATEMENTS

Page

Specter, Hon. Arlen, a U.S. Senator from the State of Pennsylvania, chairman, Subcommittee on Juvenile Justice 1
Denton, Hon. Jeremiah, a U.S. Senator from the State of Alabama 4
Simon, Hon. Paul, a U.S. Senator from the State of Illinois 99
McConnell, Hon. Charles, a U.S. Senator from the State of Kentucky 102

CHRONOLOGICAL LIST OF WITNESSES

Regnery, Alfred S., Administrator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice 7
Carlisle, A.L., chairman, National Coalition of State Juvenile Justice Advisory Groups, Cape Elizabeth, ME; Marvin E. Wolfgang, professor of criminology and law, University of Pennsylvania, Philadelphia, PA; Donald W. Mathis, acting project coordinator, Centinela Valley Juvenile Diversion Project, Inglewood, CA; and Dean Dickson, executive director, Mid-Atlantic Association of Youth Services, Inc., Doylestown, PA 91

ALPHABETICAL LIST OF WITNESSES AND MATERIALS SUBMITTED

Carlisle, A.L.:
  Testimony 91
  Prepared statement 109
  Letter to Senator Specter, Mar. 27, 1986 115
Denton, Hon. Jeremiah:
  Letters:
    To Mr. Regnery, Nov. 19, 1984 14
    From Mr. Regnery, Mar. 20, 1985 15
    To Mr. Regnery, Nov. 19, 1985 17
    From Mr. Regnery, Dec. 16, 1985 18
    To Mr. Regnery, Jan. 7, 1986 20
    From Mr. Regnery, Jan. 22, 1985 21
Dickson, Dean:
  Testimony 127
  Prepared statement 129
Mathis, Donald W.:
  Testimony 119
  Prepared statement 121
Regnery, Alfred S.:
  Testimony 7
  Prepared statement 24
  Summary of State compliance with section 223(a) (12), (13), and (14) of the JJDP Act 33
  Letter to President Reagan from Clayton J. Branan, chief probation officer, Juvenile Court of Bibb County, Macon, GA 40
  Written questions from Senator Denton 41
  Responses 44
  Responses to written questions from Senator Specter 46
  A preliminary overview of child safety in America, by the President's Child Safety Partnership, January 1986 53
  Overview, State accomplishments in response to JJDP Act of 1984, as amended 78
Wolfgang, Marvin E.: Testimony 118

APPENDIX

Page

Letters to President Ronald Reagan from:

A.L. Carlisle, chairman, National Coalition of State Juvenile Justice Advisory Groups, Feb. 5, 1986 135
T. Jefferson Loftiss II, judge, Thomas County Juvenile Court, Mar. 17, 1986 136
Timothy A. Pape, judge, Juvenile Court, Floyd County, GA, Mar 17, 1986.. 137
Anthony B. Padrone, assistant chief investigator, Children's Rights of PA, Inc. 138

Letters to Senator Arlen Specter from:

Malcolm MacDonald, president, American Probation and Parole Association, Jan. 21, 1986 139
John Upchurch, director, Court Services, Juvenile Court of Tuscaloosa County, Tuscaloosa, AL, Jan. 22, 1986 140
Robert T. Gibbs, president, Marshall County Attention Homes, Inc., Jan. 23, 1986 141
Donald W. Mathis and Sharon K. Martin, co-chairs, Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention, Jan. 23, 1986 142
D. Lee Yount, executive director, Child Mental Health Services, Inc., Jan. 23, 1986 143
A.L. Carlisle, chairman, National Coalition of State Juvenile Justice Advisory Groups, Jan. 23, 1986 144
Billie J. Long, director, Progress Place, Jan. 24, 1986 146
Robert J. Martin, chief probation officer/coordinator, James T. Strickland Youth Center, Jan. 24, 1986 147
Sr. M. Charity Kohl, administrator, CORA Services, Jan. 28, 1986 148
Millie Waterman, vice president for legislative activity, the National PTA Jan. 28, 1986 149
Attached letter from John R. Bolton, Assistant Attorney General 151
Robert Wooler, executive director, Ecumenical Social Action Committee, Inc., Jan 31, 1986 152
Valirie A. Seufert, Feb. 10, 1986 154
Newspaper articles 156
Margaret E. Dunn, director, Southwest Texas State University, February 12, 1986 160
Renee Berger, Feb. 13, 1986 173
Christine M. Dopke, Feb. 13, 1986 175
Susan Baird, juvenile justice specialist, Department of Health and Welfare, State of New Hampshire, Feb. 25, 1986 177
Hon. Daniel J. Evans and Hon. Slade Gorton, Feb. 27, 1986 178
James Thomas, executive director, Pennsylvania Commission on Crime and Delinquency, Feb. 28, 1986 183
Peter T. Hicks, Mar. 3, 1986 185
Diane Young, Mar. 4, 1986 187
Louis W. McHardy, executive director/dean, National College of Juvenile Justice, Mar. 5, 1986 189
J. David Coldren, president, National Criminal Justice Association, Mar. 5, 1986 191
Joseph M. Pantiga, executive director, Project Heavy, Mar. 5, 1986 193
Ellen Schall, commissioner, Department of Juvenile Justice, the City of New York, Mar. 6, 1986 194
Paul J. Werrell, chief juvenile probation officer, Court of Common Pleas, Allentown PA, Mar. 6, 1986 195
Georgia Medency, associate director of development, Try-Again Homes, Inc., Mar. 7, 1986 196
Francis J. Stofa, Jr., executive director, Voyage House, Inc., Mar. 19, 1986... 199
P. David Kurtz, Ph.D., professor of education and social work, the University of Georgia, Mar. 14, 1986 200
Henry E. Dufour, chairman, Governor's Advisory Council on Juvenile Justice and Delinquency Prevention, Georgia Department of Community Affairs, Mar. 14, 1986 201
Georgia Association of Independent Juvenile Courts, Resolution, adopted Mar. 20, 1986 202
H.M. Crane, Jr., judge, Bartow County Juvenile Court, Catersville, GA, Mar. 17, 1986 203
Timothy A. Pape, judge, Juvenile Court, Floyd County, GA, Mar. 17, 1986. 205

Letters to Senator Arlen Specter from—Continued

Page
- Roy K. Robb, chief juvenile probation officer, San Angelo, TX, Mar. 19, 1986 207
- James Walker, chairman, board of directors, the national network, Mar. 19, 1986 208
- Renee Berger 213

Letters to Senator Jeremiah Denton from:

- Robert T. Gibbs, president, Marshall County Attention Homes, Inc. Dec, 20, 1985 214
- Brenda Lee-Rice, project director, Shelby Youth Services & Attention Home, Inc., Dec. 24, 1985 215
- George A. Graham, executive director, Coosa Valley Youth Services, Anniston, AL, Dec. 26, 1985 216
- Ron Holt, UCR manager, Alabama Criminal Justice Information Center, Jan. 3, 1986 218
- Larry Wright, director, Alabama Criminal Justice Information Center, Jan. 3, 1986 219
- A.L. Carlisle, chairman, National Coalition of State Juvenile Justice Advisory Groups, Jan. 11, 1986 220
- Erich H. Sigle, director, Colbert-Lauderdale Attention Home, Inc., Florence, AL, Jan. 15, 1986 221
- Patricia M. Smith, district court judge, Shelby County, Columbiana, AL, Jan. 22, 1986 222
- Goonie Arnwine, Jan. 31, 1986 223
- James R. Bowen, director, Tuscaloosa County Youth Aid Division, Tuxcaloosa, AL, Feb. 3, 1986 224
  - Enclosed letter to Senator Specter from Sheriff Walker 225
- Lindsey J. Allison, secretary, Shelby Youth Services and Attention Home, Feb. 4, 1986 226
- Doug Miller, division chief, Law Enforcement Planning Division, Alabama Department of Economic and Community Affairs, Feb 7, 1986 227
- Patricia M. Smith, district court judge, Shelby County, AL, Feb. 18, 1986 .. 228

Letters to Hon. Edwin Meese III, Attorney General from:

- Sharon Martin and Donald W. Mathis, cochairman, Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention, Dec. 18, 1985 229
- A.L. Carlisle, chairman, National Coalition of State Juvenile Justice Advisory Groups, Dec. 18, 1986 230
- Arthur Mae Norris, president, Alabama Congress of Parents and Teachers, Inc., Dec. 20, 1985 231
- June Bucy, executive director, the National Network, Dec. 18, 1986 232
- Jane Wetzel, president, TCJJ; Bill King, vice president, TCJJ; and Lois Carpenter, advocacy chair, TCJJ, Jan. 10, 1986 233
- Millie Waterman, vice president for legislative activity, the National PTA, Dec. 18, 1985 234
- Roy K. Robb, chief juvenile probation officer, Tom Green County, TX, Mar. 19, 1986 235

Summary of subgrantees, law enforcement planning division, Alabama Department of Economic and Community Affairs 236
National PTA Calls on Members To Melt Freeze on Juvenile Justice Funding. 243
Press release, the National Network of Runaway and Youth Services, Inc 245
Coalition urges support for juvenile justice, protests disruptions in funding, from the Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention 247
PTA Says Administration Causing a Crisis in Juvenile Justice, from The National PTA 249
Justice and Public Safety Steering Committee Resolution, Disapproving Request for Rescission of Juvenile Justice Funds, from the National Association of Counties 251
Testimony on behalf of the Florida Network of Youth and Family Services, Tallahassee, FL, by William H. Bentley, executive director 252
Statement of the Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention 254
Testimony of the Services for the Missing, by Nikolette Thomas 257
Letter from James E. Kuty, Feb. 11, 1986 261
Statement of Vlad Etlin, Ph.D., Parental Kidnapping Victim-Parent 263
Testimony of Brian L. Wilcox, Ph.D., administrative officer for child, youth and family policy, American Psychological Association, on behalf of the American Psychological Association 265

ABOLISHING THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

WEDNESDAY, MARCH 5, 1986

U.S. SENATE,
SUBCOMMITTEE ON JUVENILE JUSTICE,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:36 a.m., in room SD-26, Dirksen Senate Office Building, Hon. Arlen Specter (chairman of the subcommittee) presiding.

Also present: Senators Denton, Simon, and McConnell.

Staff present: Neal Manne, chief counsel; Mike Russell, counsel; and Tracy McGee, chief clerk.

OPENING STATEMENT OF HON. ARLEN SPECTER, A U.S. SENATOR FROM THE STATE OF PENNSYLVANIA, CHAIRMAN, SUBCOMMITTEE ON JUVENILE JUSTICE

Senator SPECTER. This hearing of the Juvenile Justice Subcommittee of the Committee on the Judiciary will now proceed.

The purpose of this hearing is to inquire into the procedures used by the administration on freezing funds which Congress has mandated for certain vital juvenile justice programs.

The actions of the administration constitute patterns of illegal impoundment under the laws of the United States, as this Senator sees it. We have had a freeze on juvenile justice programs which violates the law, in that a freeze was put into effect on December 13, 1985, which violates the law.

If there is an effort by the administration under the law to have a rescission, then that rescission must be put into effect and it lasts for some 45 days unless it is approved by Congress.

The freeze which went into effect on December 13 did not follow the established legal requirements. It was not until February 4 that the freeze was filed or put into effect in accordance with the rules by the Office of Juvenile Justice and Delinquency Prevention, so that the freeze on December 13, to repeat, was illegal under the law.

When a freeze is put into effect, it cannot have any bearing on funds which have been mandated by Congress, and there were substantial funds among the juvenile justice allocations which were mandated by Congress, so that the freeze on the rescission on a second ground violates the law of the United States.

There is a third area of illegality, as this Senator sees it, and the Office of Juvenile Justice and Delinquency Prevention will have an opportunity to state whatever defense it has, where a freeze cannot be put into effect where there is a clear congressional mandate that shows that Congress would not agree to any such freeze.

That is clearly the case because the Senate of the United States unanimously, on December 19, in a resolution introduced by this Senator, objected to the action by the Office of Juvenile Justice and Delinquency Prevention.

This subcommittee considers this hearing to be a very important hearing on the basic proposition of the division of responsibility and authority between the Congress and the executive branch on who establishes the priority for the expenditure of Federal funds, notwithstanding Gramm-Rudman.

In fact, under the provisions of Gramm-Rudman, it is the authority of the Congress of the United States to establish priorities. We have certain targets for deficit reduction. The Congress of the United States has spoken in loud, unequivocal language as to the dedication of the Congress of the United States to a very modest program for the Office of Juvenile Justice and Delinquency Prevention.

It is not within the purview of executive authority to violate the law, as expressed by the Congress of the United States. And when the executive branch engages in this tug of war, there are very many juvenile justice programs which are left in limbo and which are left in peril by this kind of action.

Simply stated, the juveniles and the children of America are not being served. This subcommittee obviously has the oversight responsibility in this important area. When the authorization and appropriation process was implemented in 1981, it was in the context of a pending request for an authorization of $100 million for the Office of Juvenile Justice and Delinquency Prevention.

In that year, on my initiative, that figure was reduced to $70 million when the administration moved forward and attempted to eliminate all funding, and that action was undertaken to approach the problems of the children and juveniles of America in a moderate way, but to preserve these very vital programs.

The juveniles of America and the children of America are beset by a wide range of problems which have been subjects of hearings by this subcommittee and other committees in the Congress—missing children, runaway children, children who have problems with drugs, children who are truants, children who are victims of suicide, children who are beset by a wide range of emotional problems.

The children of America do not have lobbyists to come to the halls of Congress and press their cases. There are no political action committees which are organized to lobby the Congress on the rights of children, so that it is vital that when the Congress does act and takes up these important programs and makes its judgment that they not be thwarted by the administration.

These rescissions and these freezes follow a pattern where they are unknown to the Congress, unknown to the Senate, unknown to the Judiciary Committee, unknown to this subcommittee, until we hear the cries of anguish from juvenile justice programs across this country. It is only at that juncture that we find what has happened, and it is only at that time that we start to play catchup to see to it that the funding is pursued.

Simply stated, that just is not an appropriate way to run a government.

Those are the areas which we intend to inquire into here today. There are some supplemental questions about the filing of reports due to the Congress on January 1 of this year which have not been filed, some 2 months, 5 days late; another report due on March 1 which has not been filed; a question about what funding is going forward.

We have an array of witnesses today, beginning with Administrator Alfred S. Regnery from the Office of Juvenile Justice and Delinquency Prevention from the Department of Justice. We have a panel consisting of Ms. A.L. Carlisle, chairman of the National Coalition of State Juvenile Justice Advisory Groups; Prof. Marvin Wolfgang, professor of criminology and law from the University of Pennsylvania; Mr. Don Mathis, project coordinator of the Centinela Valley Juvenile Diversion Program. We have Mr. Dean Dickson, executive director of the Mid-Atlantic Association of Youth Services.

Administrator Regnery, it is the wish of the subcommittee to proceed to hear all of the witnesses, but we would like to have your responses to the issues raised by the panel which is present here, and I would inquire at this time as to whether you will be able to stay to respond to their comments.

Mr. Regnery. Thank you, Senator. On that question, I will not be able to stay after I have completed my testimony. I believe the deal that was made with the Office of Legislative Affairs at the Justice Department and with your staff was that I would stay here to testify for as long as you want me, and at that time I would leave, and that is what I am prepared to do.

Senator Specter. Well, I would like to have you stay to testify to respond to their questions.

Mr. Regnery. Well, I would respectfully request, then, that you schedule another hearing, at which time I will be glad to come back and do that. You might discuss that with Mr. Russell. I talked to the Office of Legislative Affairs just before I came up here and they told me that was the deal that they made.

Senator Specter. I am advised, Mr. Regnery, that there was no such deal.

Mr. Regnery. I am advised otherwise, Senator.

Senator Specter. What is a convenient date for you to return to respond to the matters which will be raised here?

Mr. Regnery. Pretty much anytime. I obviously have things to do.

Senator Specter. How about tomorrow morning?

Mr. Regnery. I think that might be all right, without looking at my calendar. I would remind you that the Department does have a 10-day rule. I do not know what the——

Senator Specter. Mr. Regnery, the Department has a 10-day rule; the subcommittee calls its witnesses. We may choose to call the four witnesses first. You are here for as long as you said to complete your testimony.

I do not understand why you cannot listen to these witnesses and respond. I would like to have you hear them as opposed to getting the material second-hand. So the subcommittee just may call the witnesses first.

Mr. **Regnery**. Well, if you want to do that, I guess that is up to you, Senator. I was somewhat surprised this morning when I found out that I was supposed to stay. Having been a staffer on this committee and been around town for a while, I found it a rather unusual procedure, at which point I called the Office of Legislative Affairs and they said absolutely, you do not have to do that; that when we talked to Senator Specter's staff, we said that you would stay as long as he wants you to stay to testify, but you would not need to stay around to respond to other people.

I do not know of any other situation in my memory when an administration witness has been asked to do that.

Senator **Specter**. Well, my sense is that there have been such cases, but I do not have the panorama of hearings at my disposal. But when you say that you are prepared to stay as long as the subcommittee wants you here, what the subcommittee would like you to do is to stay here to hear the witnesses.

I think we can complete the whole process by 10:45; we can do it within an hour.

Mr. **Regnery**. That is fine. If you can do that, then I can stay that long.

Senator **Specter**. OK, we will do just that.

We have been joined by the distinguished Senator from Alabama, Senator Denton, for an opening statement.

OPENING STATEMENT OF HON. JEREMIAH DENTON, A U.S. SENATOR FROM THE STATE OF ALABAMA

Senator **Denton**. Thank you, Mr. Chairman.

To put my feelings about juvenile justice in context, I should say that this program is one I regard as associated with the Federal Government's contribution to the promotion of the general welfare.

I must say, Mr. Chairman, that I consider this program, as you do, not to be an unwise expenditure in the promotion of the general welfare because I consider it to be economically efficient, in that it represents an investment by encouraging young people to become good contributing citizens, not only avoid crime, which is the general aim, but avoid expense to the Federal Government in terms of welfare that otherwise might be administered.

I believe that the amount of money that is given from the States and the Federal Government—if you divide into that the amount of money that would otherwise be spent, you will find that the program's benefits far outweigh any criticisms.

I am not making a big splash in favor of or against cutting this program for political purposes. I really believe it. I will be going on the floor about this and other such programs. But I do think we have got to discriminate between programs which are investments and those which are pure spending with demagogic intent or careless planning.

Ever since you and I arrived in this body, Mr. Chairman, I have admired your leadership in fighting to protect and preserve funding for juvenile justice. We have fought zero funding of OJJDP, we have fought requests for rescissions, deferrals and reprogramming of juvenile justice funds, and we have fought to reauthorize the Juvenile Justice and Delinquency Prevention Act, and we have been victorious in each fight.

Most recently, we secured appropriations for fiscal year 1986 for juvenile justice. On Friday, December 13, 1985, President Reagan signed H.R. 2965, the Commerce, Justice and State Departments Appropriations bill, which appropriated 1986 funds for OJJDP.

However, on that very same day, the Justice Department, upon the informal recommendation of the Office of Management and Budget, froze all OJJDP funds for a 45-day period. On December 19 the Senate passed, by unanimous consent, under your able leadership, Mr. Chairman, Senate Resolution 278, as amended, which disapproved that informal freeze. A formal request for rescission was then filed with the Congress, and was met by Senate Concurrent Resolution 106, a resolution introduced by the distinguished chairman of this subcommittee, which rejects the formal request for rescission.

In some quarters, Friday the 13th is viewed as a very unlucky day, and little did we know how true that would be for our Nation's children on that particular Friday the 13th.

Since that Friday, my office has received countless calls and letters from various organizations in my home State of Alabama and from throughout the Nation which currently receive OJJDP grants.

I want you to know, Mr. Regnery, that I am not going to respond to every such surge of phone calls involving recipients of Federal aid, but when I can conclude myself that the spending from the Federal Government's point of view reaps revenues and it is investment which is profitable, I am indeed going to try to protect those funds.

And when you or someone in your organization says I am just as bad as Senator Specter in trying to protect juvenile justice, I accept that as a compliment.

Senator **Specter**. Or maybe as good as, Senator Denton.

Senator **Denton**. The communications from my State convey the same concern that an informal freeze, formal rescission, or elimination of funds will lead to the destruction of numerous juvenile justice projects.

That destruction, which would slow, if not reverse, the tremendous strides made by the States in the deinstitutionalization of status offenders and the removal of juveniles from adult jail facilities.

Officials in Alabama have indicated that the freeze, rescission or elimination of funds would force the immediate shutdown of approximately 90 percent of the juvenile justice projects in the State and would severely affect the State's compliance with the removal of juveniles from adult jail facilities.

In illustration of the need for the modest juvenile justice Federal funding, I note with pride that in 1985 the State of Alabama received $723,000 in Federal funds, matched with $2.5 million in local funds, and used those funds to serve over 7,000 troubled Alabama young people through attention, detention and outreach programs.

Additionally, several thousand juveniles were indirectly served by those same programs. Now, I am informed that a high proportion of those youth are redeemed. If only 1,000 of the 7,000 were redeemed, it would cost us $723 in Federal money to have redeemed them. How much does the Federal Government planning bureaucracy think it would cost the Federal Government were they not redeemed? Hundreds of times more, aside from the social disruption and the unhappiness that would be caused.

So just in pure economic terms, I think it is an unfortunate example of the simplicity and coarseness and use of a hatchet when we should be using a scalpel in examining our promotion of the general welfare.

Mr. **Chairman**. I believe one truth on the other side of that fence is that this is money that is well spent, that will cost us if we withhold, and I am fully with the chairman in what he is trying to accomplish.

I ask unanimous consent, Mr. Chairman, that copies of a number of letters from Alabamians concerned about the elimination of juvenile justice funding be placed in the record.

I also ask unanimous consent that a list of Alabama subgrantees of juvenile justice funds be placed in the record to illustrate the quality, quantity and variety of programs funded through OJJDP.

Senator **Specter**. Without objection, so ordered; they will be made a part of the appendix of the hearing record.

Senator **Denton**. Thank you, sir.

Mr. Chairman, in light of the current budgetary situation, we are all fully aware of the need to trim Federal budgets. I am sure that the juvenile justice community is ready and willing to carry its fair share to budget cuts. I, for one, would support some reduction in juvenile justice funding, but only if the reduction comes from the discretionary funds and not from the State formula grants. At the same time, however, we must not try to balance the budget by disproportionately burdening juvenile justice programs for rehabilitation, deinstitutionalization, child safety, crime control, foster care, drug programs, law related education, child abuse, runaway shelters, missing children, pornography, delinquency research, homeless children, and juvenile court programs. We must continue to keep the protection of the Nation's children as a top priority.

Mr. Chairman, I thank you once again for the opportunity to demonstrate my continued support for adequate funding for juvenile justice. I also appreciate the opportunity, through the oversight activities of this subcommittee, to ensure that OJJDP is complying with the mandates of the reauthorized Juvenile Justice and Delinquency Prevention Act and that OJJDP is spending those scarce dollars in the most effective and efficient manner.

I will have specific questions for Mr. Regnery but I am not sure that his convenience will match mine and I might have to submit those for the record at the appropriate time.

Thank you Mr. Chairman.

Senator **Specter**. Thank you very much, Senator Denton.

Mr. Regnery, so that we can meet the 10:45 time parameter, how much time would you like for an opening statement?

Mr. **Regnery**. Five or ten minutes.

Senator SPECTER. Why don't you proceed.

STATEMENT OF ALFRED S. REGNERY, ADMINISTRATOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, U.S. DEPARTMENT OF JUSTICE

Mr. REGNERY. I do have a statement which I have submitted.

Senator SPECTER. Your full statement will be made a part of the record, Administrator Regnery, as will the full statements of all others who have submitted them.

Mr. REGNERY. Thank you.

First, Senator, in response to your opening statement, there are a couple of things that I would like to say which are not part of my statement. First of all, there are a couple of things you indicated you wanted to talk about which I am not prepared to talk about, things such as the separation of powers, the executive branch versus the legislative branch; who has authority to do what.

I do not think I am really prepared to argue with you today. I am not going to sit here and argue the law with you either as to what the proper way of going about these things is.

I can tell you that there was not a freeze at the Department of Justice until there was a legal document that was submitted to the Congress, an apportionment document. In fact, from December 13 until about February 7, I think it was, there was no freeze at—I am sorry; from December 13 until January 7, there was not a freeze in my office.

We, in fact, made about six grants during that period of time which exceeded the amount of money that we made in grants in the same period the year previously.

Senator SPECTER. But the rescission notice came over on February 5. Are you saying that there was no freeze prior to February 5?

Mr. REGNERY. No. I am saying that there was no freeze prior to of January 7, I believe it was, when an apportionment document was submitted to the Congress, I guess it was, by OMB. And I am not really terribly up to speed on exactly what all of that process was, but that preceded the actual request for rescission which was submitted to Congress, I think, on February 6 or 7.

For about the month before that, in other words, there was a freeze on a part of our money, which was the amount that we had submitted to OMB previously for that.

Senator SPECTER. There was a freeze on a part of the money?

Mr. REGNERY. Yes.

Senator SPECTER. Prior to January 7?

Mr. REGNERY. No; prior to February 7, between about January 7 and February 7.

Senator SPECTER. We have had many who have said that there was a freeze in December.

Mr. REGNERY. Well, I do not care what people said. There was not, in fact, a freeze, and I will give you a list of the grants that we signed between December 13 and January 7.

On January 7 there was, in fact, a freeze which was created with the submission of an apportionment document from OMB to the Department of Justice. And to get any specifics on that, you are going to have to talk to OMB officials rather than me.

In any case——

Senator **Specter**. Well, Administrator Regnery, on that point, is it not true that the executive branch does not have the power to freeze money until a rescission request is submitted to the Congress?

Mr. **Regnery**. No, it is my understanding that that is not true. The executive branch, I believe, has power to do that, and I am not an expert on these things, Senator, but it is my understanding that under two or three different statutes there is the power to do that both with the apportionment——

Senator **Specter**. Well, Mr. Regnery, I would refer you to the Impoundment Act. Section 683(b) says flatly that any amount of budget authority proposed to be rescinded or that to be reserved shall be made available for obligation unless, within the prescribed 45-day period, the Congress has completed action on a rescission bill rescinding all or part of the amount proposed to be rescinded, where that is to be reserved.

The law flatly says that the executive branch simply cannot decide on its own to stop spending money prior to the time a rescission request is submitted to the Congress.

Mr. **Regnery**. Well, it is my understanding there is at least one other statute which does provide that the executive branch can do that, Senator. And, again, I am not an expert on these things and I would suggest that if you want an expert, you get somebody from OMB up here to tell you about it.

Senator **Specter**. Well, Administrator Regnery, we look to you as the Administrator of this program and we expect you to follow the law.

Mr. **Regnery**. Well, that is what I try to do, Senator.

Senator **Specter**. And we expect you to know the law.

Mr. **Regnery**. And I can tell you that on January 7, OMB submitted to the Department of Justice something called an apportionment document and they told our budget office that if we spent money that was included in that apportionment document, which did include virtually all of our funds, that I would be in violation of the Anti-Deficiency Act, I believe it is called.

Senator **Specter**. Administrator Regnery, we asked OMB to come here and they declined, saying that Administrator Regnery speaks for them. They would not participate in the hearing.

Mr. **Regnery**. I do not speak for OMB and I am sorry they told you that.

Senator **Specter**. Well, they will not come to a hearing because they say you do speak for them, and you say you do not speak for them.

Mr. **Regnery**. I do not speak for OMB; no, I do not. In any case, let me——

Senator **Specter**. Well, this subcommittee has the statute; we have the cases and we know what the law says. And there is some other case, some defense to be presented, you ought to be presenting it.

Mr. **Regnery**. Well, let me also tell you, Senator, that the way my office is structured, there is something called a budget office which I do not control. The budget office is administered by the

Office of Justice programs, and the budget office has to clear anything I sign after I sign it.

What they do is to indicate whether or not there are sufficient funds available to fund whatever I sign, and the budget office basically was told by OMB, I guess, on January 7 that there were no funds available for us to spend.

Now, again, I was instructed that if we did spend funds, I would be in violation of the Anti-Deficiency Act.

Senator SPECTER. Mr. Regnery, on December 18 when I introduced Senate Resolution 278, which was passed unanimously the next day by the Senate, we inserted into the record at that time the specific evidence from individuals who authenticated and provided evidence for the freeze.

Were those statements incorrect?

Mr. REGNERY. No, but I do not know, without looking at them, what they said. But I can tell you categorically that there was not a freeze.

Senator SPECTER. Did you review the Congressional Record?

Mr. REGNERY. I did review that several weeks ago, yes, I did, Senator. I do not remember exactly what they said, but I can tell you that there was not a freeze at that time because we were signing grants.

Now, in fact, what they are probably referring to is largely the formula grants, none of which have yet been signed. But none of the formula grants came to my office ready to be signed until after the apportionment document was delivered to the Department of Justice from OMB on January 7.

And it would be my contention that from January 7 on, the so-called freeze was legal.

Senator SPECTER. Well, you would concede that prior to January 7, if there was a freeze, it was not legal?

Mr. REGNERY. Well, I do not know that. I can tell you that there was not a freeze because I was signing grants.

Senator SPECTER. Well, my question was if there was a freeze prior to January 7, do you concede, at least, that that freeze was illegal? I know you disagree that there was a freeze.

Mr. REGNERY. Under certain circumstances. It is my understanding, though, that under the Impoundment Act there are various exceptions; that GAO has done a number of opinions and other things on the Impoundment Act.

I suppose that one might make the case that for a period of 2 or 3 days, there might have been a freeze. In other words, we were not signing grants from about maybe of December 16 or 17, something like that, at which time we were trying to figure out what was going on.

And I would remind you that what we were up against was as new for us as it was for you. On December 13, we learned that our funds would be requested to be rescinded. We did not know exactly what that meant.

I think the next grant that I signed after that was somewhere along December 18. Now, I also know that GAO has opined that if there is a freeze under the Impoundment Act for 2 or 3 days, it is inconsequential.

Senator SPECTER. Mr. Regnery, are you saying now that there was a freeze for 2 or 3 days?

Mr. REGNERY. There may have been a freeze, but I do not know exactly what a freeze is. There were no grants that were signed, I believe, from about the—well, the 13th was on a Friday; maybe until the 17th, something like that, although it did not actually go into effect until the 16th.

So, as I say, maybe 2, possibly 3 days, we were not signing grants, at which time we were trying to figure out just what was going on.

Senator SPECTER. Mr. Regnery, I would say to you that a freeze for 2 or 3 days is illegal.

Mr. REGNERY. Well, GAO disagrees with that, Senator.

Senator SPECTER. When the law is in effect, there is no period of lapse on the law. You can have a defense of temporary defense; you can have a defense of lack of competency. But there are no excuses for violating the law for 2 or 3 days or 2 or 3 minutes or 2 or 3 seconds.

A lot of damage can be done in 2 or 3 days; a lot of damage can be done in 2 or 3 minutes. I fail to understand how you can say that a violation of the law for 2 or 3 days is not a violation of the law.

Mr. REGNERY. Well, again, Senator, I am not going to sit here and argue the law with you because I am not prepared to do that. I do know that there is a GAO opinion which says that if money is not spent for 2 or 3 days, it is not a violation of the Impoundment Act, and I assume that in talking about violations of the law you are talking about violations of the Impoundment Act. Is that true?

Senator SPECTER. Well, the problem is that the GAO does not establish the law. The statutes of the United States establish the law. It is not the GAO which establishes the law.

This issue was fought out long and hard in the 1970's and law was established.

Mr. Regnery, proceed with your testimony so that we can try to stay within the parameters that we have set.

Mr. REGNERY. Well, as I said, I do have a statement which I guess you have put into the record. And as you mentioned, the 1987 budget request requests no funds for OJJDP, and in addition to that, we have asked that the funds be rescinded.

I support that decision of the administration, Senator, and particularly I do so, not because I think these funds are funds which are being abused or which are wasted, but largely because, in the structure of the Federal Government versus the State governments, these are funds which would be spent, I believe, by the States if the Federal Government were not engaged in this sort of activity.

I believe that, given the consequences flowing from the Gramm-Rudman Act and from the problems that we have with our deficit, that the administration has to make some very tough decisions on a number of programs, many of which are very beneficial and which do a lot of good, but which we simply cannot afford.

As I point out in my testimony on page 3, the Formula Grant Program of our office, which is the largest part of our grantmaking process, about 60 percent. About $40 million a year goes to the

States for a variety of programs on the condition that the States meet three mandates which the statute sets forth.

Interestingly, though, most of the money in the formula grant program does not go to pay for those mandates. As I point out in my statement, only about 23 percent, or somewhere less than $10 million, is actually spent on those mandates and the rest is spent for things which the States otherwise have the authority and, in fact, have the jurisdiction to do in the juvenile justice area, and which I believe the States would continue to do anyway.

Let me just give you a couple of examples. Not long ago when I was in the State of New York, I was told that the State of New York spends some $50 million a year on delinquency prevention.

Well, the State of New York also uses about $825,000 of ours on delinquency prevention. In California, the California Youth Authority has a budget somewhere in excess of $150 million. They add $2.2 million of the Federal Government's to that for those rehabilitation and correctional programs.

In other words, the bulk of the money in the Formula Grant Program is money which the States are spending on their juvenile justice systems and which is a very small percentage of the money that they actually spend on those systems.

I believe, Senator, that if that money were not made available by the Federal Government, the States, which, of course, do have substantial budget excesses, would continue to spend that money of their own rather than getting it from the Federal Government.

Again, I think many of the programs that they do use the money for are totally worthwhile; they probably do a great deal of good. But on the other hand, I think it is one of the decisions that the administration has made that they are the sorts of things that we can no longer afford to do.

In terms of compliance, I believe that it goes without saying that the States would continue to comply with what are now mandates if the statute were not in force. If you look at the progress that has been made since the statute was passed in 1974, the number of States which are in compliance—and in addition to that, if you look at the issue of the commitment that the States have made to the mandates and the number of statutes that have been passed mandating that those things happen in the States, I believe that it is clear that those things would continue.

The deinstitutionalization, separation, and removal mandates, in other words, would continue on the State level without the carrot of the Federal Government. I think that is clear by the fact that they use most of their money for things other than what the mandates are.

Obviously, also, it costs them a great deal more money than the Federal Government provides to deinstitutionalize and separate and remove their juveniles from jails.

In terms of our program, Senator, we had program plan that was virtually ready to go at the time of the rescission request. We have not published that, and therefore we do not have any programs that are yet announced for 1986.

Some of the things that we are doing in terms of research and things like that, I believe are totally worthwhile, but I believe they would continue through the National Institute of Justice and other places at the Justice Department if we were not doing them.

I notice that Professor Wolfgang, for example, is going to testify after I do this morning. The research that he has done is, I think, probably as worthwhile as any research that has been done in the criminal justice area. It certainly serves as the basis for a great many of our programs and the way that we approach the issue of juvenile crime.

I think that much of that research would continue without our office, as I say, through NIJ and other places in the Department.

In terms of the Missing Children's Program as you know, we have not asked that those funds be rescinded. There is $4 million in the 1986 budget which we are proceeding to administer.

The missing children's advisory board, which the statute authorizes was appointed about a year ago. It is having a meeting this coming weekend, at which time it will issue a report to the Congress and the President on the issue of missing children.

That report will discuss the question of the numbers of missing children, which has been somewhat controversial. It will talk about a number of the other problems that we have encountered over the past couple of years involving missing children, and it will make a series of recommendations to the Congress, to the State legislatures, to law enforcement, and a variety of other people on steps that should be taken to reduce the problem of abducted, abandoned, and runaway children, and discuss some of the unintended consequences of deinstitutionalization on the problem.

In addition to that, we are doing a number of other things with the missing children's money, including an incidence survey to determine exactly how many missing children there, in fact, are.

We are doing a study of law enforcement agencies to learn how they handle the problem. We have been training a number of law enforcement officers—in fact, a great number—at Glynco, GA, at the Federal Law Enforcement Training Center, and a number of other things, too.

We are funding the State clearinghouses, or will be, that are helping us with the missing children's issue. We have been working closely with private, voluntary organizations that are engaged in the missing children's business in one way or another, providing them with management techniques and other things to help them do their job better.

We also will be providing some funds directly to such organizations some time in the next several months. I should point out to you that the National Missing Children's Center, which, of course, takes the bulk of those funds, continues to operate in a very efficient manner.

Since it was established some 2 years ago, it has assisted in the recovery of nearly 4,000 children. It is receiving, I believe, 800 to 1,000 telephone calls a day, which it is able to take and process and get the information to the proper law enforcement agency.

There are a couple of other new projects which I point out in my testimony that we initiated prior to January 7 during this fiscal year which I will not go through at this time.

As you know, we will not be implementing any other programs until Congress has made a decision concerning the President's request for rescission. The 45 days, I understand, expires some time in April, and at that time, depending on what you do, we will be prepared to proceed either way.

Let me stop there, Senator, and answer your questions.

Senator SPECTER. Senator Denton has other commitments and would like to ask two questions, so we will hear from Senator Denton now. To the extent that we could hold the responses to as brief a period as possible, we would be grateful so that we can move ahead and try to hear from the other four witnesses within the parameter that we have set forth by 10:45.

Senator Denton.

Senator DENTON. Thank you, Mr. Chairman, and I do not wish to delay Senator Simon. In fact, I would defer, if you wish, Mr. Chairman, to his opening statement.

Senator SPECTER. I have just discussed the matter with Senator Simon and have his acquiescence to this timetable.

Senator DENTON. Thank you very much, Paul.

Mr. Regnery, I would like to go on record as thanking you personally before any questioning for accepting Mr. Ronald Lewis Watts of Birmingham, AL, for a nonpaid internship with OJJDP.

We have a series of letters with you regarding this question and I want to just highlight it at this hearing and get it on the record. There is, by the reauthorized Juvenile Justice and Delinquency Prevention Act, a special emphasis which mandates OJJDP to make grants which develop model programs to strengthen and maintain the family unit in order to prevent or treat juvenile delinquency.

I sponsored that language. I have been most interested in knowing how you all are going about trying to comply with the mandate. Since November 1984, I have been trying to perceive some evidence that you are.

So, Mr. Chairman, first I would ask unanimous consent that a series of letters between myself and Mr. Regnery on this subject be placed in the record at this time.

Senator SPECTER. They will be so placed.

[The following were received for the record.]

United States Senate

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19 November 1984

Mr. Alfred S. Regnery
Administrator
Office of Juvenile Justice and
Delinquency Prevention
U.S. Department of Justice
633 Indiana Avenue, N.W.
Washington, D.C. 20531

Dear Mr. Regnery:

As you know, with the enactment on October 12, 1984, of Public Law 98-473, which includes Division II of Chapter VI, the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984, OJJDP is now required to make grants which develop model programs to strengthen and maintain the family unit in order to prevent or treat juvenile delinquency.

Please provide us with the specifics on the grants awarded or the contracts entered into pursuant to this statutory mandate for FY 1985.

Your anticipated assistance in this request is appreciated.

Sincerely,

Thomas E. Petri
Member of Congress

Jeremiah Denton
Jeremiah Denton
United States Senator

cc: Honorable Arlen Specter

U.S. Department of Justice

Office of Juvenile Justice and
Delinquency Prevention

Washington, D.C. 20531

20 MAR 1985

The Honorable Jeremiah Denton
United States Senate
Washington, D. C. 20510

Dear Senator Denton:

Thank you for your letter regarding the Office of Juvenile Justice and Delinquency Prevention and its reauthorizing legislation of 1984.

The Office of Juvenile Justice and Delinquency Prevention has not yet awarded grants or contracts under the revised statute for the exclusive purpose of developing model programs to strengthen and maintain the family unit in order to prevent or treat juvenile delinquency. One of the Harvard University Executive Sessions on Juvenile Justice, which are sponsored by OJJDP, will focus on the family, delinquency prevention and the juvenile justice system. This Office also is reviewing the findings of the Attorney General's Task Force on Family Violence to identify strategies for providing support to juveniles involved in abusive situations.

One of the key principles set forth by this Administration is that the Federal government should serve as a catalyst for local community initiatives in preventing delinquency and crime. This means encouraging families and other community institutions to take responsibility for preventing and controlling juvenile crime.

The programs of OJJDP are guided by two primary goals: the protection of children who have lost the traditional structures of support that help most youth to become law-abiding, productive citizens, and the control of crime by juveniles who already have established patterns of delinquent behavior. The first goal is addressed by policies and programs which involve the family in the correctional process, particularly at the point of release and reintegration, to help prevent recidivism.

Several major OJJDP discretionary programs already involve strengthening or restoring the family structure:

- National Center for Missing and Exploited Children
- Court-Appointed Special Advocate (CASA) Program
- Covenant House of New York City
- National Coalition of Hispanic Mental Health and Human Services
- Private Sector Corrections for the Chronic Serious Juvenile Offender

The family has, perhaps, the most influence on the development of children into productive adults. It directly affects the formation of the personality, ideals, morals, and skills. Moreover, the family determines, to a great extent, how children adapt to and learn from other community institutions such as the school and church. I am particularly pleased that the reauthorization legislation recognized the critical role of the family in delinquency prevention and control, and I welcome any suggestions you may have as to how this Office can meet this challenge.

Sincerely,

Alfred S. Regnery

Alfred S. Regnery
Administrator

United States Senate

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19 November 1985

Mr. Alfred S. Regnery
Administrator
Office of Juvenile Justice and
Delinquency Prevention
U.S. Department of Justice
633 Indiana Avenue, N.W.
Washington, D.C. 20531

Dear Mr. Regnery:

As you know, with the enactment on October 12, 1984, of Public Law 98-473, which includes Division II of Chapter VI, the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984, OJJDP is now required to make grants which develop model programs to strengthen and maintain the family unit in order to prevent or treat juvenile delinquency.

Please provide me with the specifics on the grants awarded or the contracts entered into pursuant to this statutory mandate for FY 1985 and 1986.

Your anticipated assistance in this request is appreciated.

Sincerely,

Jeremiah Denton

Jeremiah Denton
United States Senator

JD:hj
cc: Honorable Arlen Specter

U.S. Department of Justice

Office of Juvenile Justice and
Delinquency Prevention

Washington, D.C. 20531

16 DEC 1988

The Honorable Jeremiah Denton
United States Senate
Washington, D.C. 20510

Dear Senator Denton:

Thank you for your letter concerning Office of Juvenile Justice and Delinquency Prevention programs to strengthen and maintain the family unit in order to prevent or treat juvenile delinquency.

We have just completed the final meeting of the Harvard University Executive Sessions on Juvenile Justice. These meetings, which were sponsored by OJJDP, drew together experts from across the country to focus on the family, delinquency prevention, and the juvenile justice system.

The sessions addressed a wide range of issues, including the role of the family in delinquency and prevention. This involved assessing the results of research on the quality of family relations interaction and the structure of the family to the quality of child rearing and juvenile delinquency. The relationship of the family to other community institutions also was examined. The purpose was to identify the kinds of community supports that need to be available to enable families to raise productive, law-abiding children. In addition, the value of parent training and preschool programs such as Project Head Start as potential interventions to increase the capability of families to socialize their children was carefully considered. Finally, the potential impact of Federal legislation and policy on the capability of the family to raise healthy children was analyzed. For example, the potential negative consequences of some of the major welfare programs such as Aid to Families with Dependent Children were considered.

We expect that the papers prepared through these sessions will represent a valuable resource for guiding the development of policies and programs to strengthen and maintain the family. OJJDP will be reviewing this work as it is completed for guidance in developing new family-based initiatives.

As you know, the programs of OJJDP are guided by two primary goals--the protection of children who have lost traditional structures of support such as the family, and the control of crime by juveniles who have established patterns of delinquent behavior. Several major OJJDP programs, therefore, involve strengthening or restoring the family structure for these youth, such as:

- The National Center for Missing and Exploited Children
- The Court-Appointed Special Advocate Program
- Covenant House of New York City
- The Private Sector Corrections for the Chronic Serious Offender Program.

We believe that the family has a greater impact on the development of our youth than any other factor. During a child's early years, the family is the direct socializing force; later, it guides the child in adapting to and flourishing in other community institutions, such as the school and the employment arena. Therefore, this Administration is committed to encouraging families, in the context of the local community, to take responsibility for preventing and controlling youth crime. We are pleased that OJJDP's reauthorizing legislation also recognized this critical role.

Your continued interest in this important issue and the programs of the Office of Juvenile Justice and Delinquency Prevention is greatly appreciated.

Sincerely,

Alfred S. Regnery
Administrator

United States Senate
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7 January 1986

Mr. Alfred S. Regnery
Administrator
Office of Juvenile Justice and
Delinquency Prevention
U.S. Department of Justice
633 Indiana Avenue, N.W.
Washington, D.C. 20531

Dear Mr. Regnery:

Thank you for your response as to how OJJDP is complying with the mandate of strengthening and maintaining the family unit in order to prevent or treat juvenile delinquency. I would like to offer my observations on your response.

The examples you cite, while fine programs, do not necessarily involve the prevention or treatment of juvenile delinquency. The programs appear to deal primarily with dependents and status offenders and are not the type of projects I envisioned when I proposed the language presently contained in section 224(c)(4) of the Juvenile Justice, Runaway Youth and Missing Children's Act Amendment of 1984 (Public Law 98-473).

The type of projects I envisioned would include:

1. The proposal submitted by the National Association for Family Counseling in Juvenile and Family Courts which would focus on training juvenile and family court personnel to utilize family intervention techniques with families of delinquent, abused, neglected, or dependent children. The goal of the project is to minimize out-of-home placement of juvenile offenders and reduce delinquency by strengthening the family system.

2. The proposal submitted by Innovative Resources, Inc., of Birmingham, Alabama incorporating the Community Intensive Treatment for Youth Program (C.I.T.Y.) concept which provides an alternative to incarceration of juveniles by working with the family to strengthen the family unit, coordinating and utilizing local resources, and teaching youth how to succeed in the community. The program has met with tremendous success in reducing crime, school violence, school dropout rates, teenage pregancy, and as a consequence, the entire welfare system.

I hope that you would review the manner in which your office is meeting this mandate with an eye towards granting funds to one or both of the above mentioned programs or a similar type of program.

Your anticipated assistance in this matter is greatly appreciated.

Sincerely,

Jeremiah Denton

Jeremiah Denton
United States Senator

U.S. Department of Justice

Office of Juvenile Justice and
Delinquency Prevention

Washington, D.C. 20531

22 JAN 1986

The Honorable Jeremiah Denton
United States Senate
Washington, D.C. 20510

Dear Senator Denton:

This is in response to your letter concerning the Office of Juvenile Justice and Delinquency Prevention's programs for strengthening and maintaining the family unit to prevent and treat juvenile delinquency.

I would agree that the proposals you describe are interesting concepts for family strengthening. However, as you know, Section 225 of the Juvenile Justice, Runaway Youth and Missing Children's Act Amendments of 1984 (Public Law 98-473) requires a competitive process for all assistance awards and contracts. Therefore, I do not have the discretion to consider unsolicited programs or projects except under extraordinary circumstances.

Please be assured that this Office is sensitive to its statutory mandate regarding family programs. I am confident that the programs developed in the future for solicitation and competition will encompass remedies to family problems and delinquency that you can endorse.

Thank you for your continued interest in this matter and the programs of the Office of Juvenile Justice and Delinquency Prevention.

Sincerely,

Alfred S. Regnery
Administrator

Senator DENTON. I will ask you to submit in writing, Mr. Regnery, to save the chairman's time, how you are complying or planning to comply with this mandate. It sounds general, but I have been working in this area for a long time.

The CITY Program in Alabama has had remarkable success in working with the family to strengthen that unit, coordinating and utilizing local resources and teaching youth how to succeed in the community. They are actually getting in with the family and trying to work from the family to do something about juvenile delinquency.

So I will ask you to tell me how you have planned to comply, and I would also ask you to take a look at the National Association for Family Counseling & Juvenile & Family Courts, which has a lot of experience in this area.

Two of their goals are to minimize out-of-home placement of juvenile offenders and reduce delinquency by strengthening the family system. Both of those programs have had remarkable success, and I will ask if you would just update me on what you all have in mind in that respect, if you will.

Mr. REGNERY. OK. Senator, as I think we have told you in the correspondence before, that provision of the statute is a rather difficult one to implement, and I guess I have spoken about it many times in public.

I certainly agree with you about the problems of the demise of the family and the——

Senator DENTON. I do not mean to interrupt, and I say this in sympathy and empathy. I understand what you are trying to say. I am saying that some programs have had remarkable success in doing this area.

It sounds like a generalization, and if you read what I say in its generic terms and then try to dream up how you are going to implement it, I agree you are going to have a problem.

But I have seen programs out there which have been remarkably efficient in doing that, and I simply invite your attention to those two specific ones.

Mr. REGNERY. I am aware of those programs, Senator, and I will be glad to look at them.

Senator DENTON. OK. Last, we have applied for funds on November 26, 1985. Our plan, in accordance with the Juvenile Justice and Delinquency Prevention Act, was submitted to you and we understand that you are supposed to determine whether or not the State will be eligible for funds for the next fiscal year.

For 2½ months, we went without even acknowledgment of receipt of Alabama's application, and I would like to know as soon as possible in writing whether or not Alabama will be eligible for fiscal year 1987 funds.

I think, without prejudice, I believe that my State has taken the lead in many areas relating to this problem, and I think they have achieved some remarkable results, and I am not talking politically. Most of these guys down there are Democrats, but they have done a great job.

I would like to know as soon as you can tell me whether or not we are going to be able to get any of those 1987 funds.

Mr. Regnery. Well, I can tell you, Senator, that no States have gotten their 1986 funds yet, and that none of them will until the rescission time has elapsed in April, because of the fact that during the course of the rescission we have no funds to spend.

Senator Denton. I want to know whether or not we are eligible for fiscal year 1987 funds. When a decision is reached as to after all the time that is supposed to go by and the rescission is out of date, and so forth—I want to know about Alabama's eligibilty for 1987 funds.

Mr. Regnery. We may be able to advise you of that in writing this afternoon. I can check with my staff on that, Senator. There is a fairly simple statutory procedure to determine whether or not a State complies, and that is something we do before we authorize the grant to be signed.

Senator Denton. Thank you very much, Mr. Regnery. Thank you, Mr. Chairman.

Senator Specter. Thank you.

Senator Denton. Thank you, Senator Simon, for your kind deference.

Senator Specter. Thank you, Senator Denton.

[The prepared statement and responses to written questions follow:]

PREPARED STATEMENT OF ALFRED S. REGNERY

Thank you, Mr. Chairman, for inviting me to testify this morning on the activities of the Office of Juvenile Justice and Delinquency Prevention.

I know that uppermost in the minds of the Subcommittee Members is the situation involving the future of my Office. As you are aware, Mr. Chairman, the President, as he has done each year since taking office, has requested no funding for OJJDP for the next Fiscal Year. In addition, the President's budget request for FY 1987 also contains a request for a rescission of almost all of the FY 1986 funds appropriated for OJJDP.

While you, Mr. Chairman, and other Members of Congress have expressed your dismay to the President, to the Attorney General, and to me over this seeming lack of concern for the welfare of those served by OJJDP, I would like to take this opportunity to point out that the President must be concerned with the welfare of all Americans.

Over and over again, in opinion poll after opinion poll, the American people have cited the Federal deficit as the biggest problem faced by the Nation. They know that the Federal government cannot keep spending money it does not have. Congress, in passing the Balanced Budget and Emergency Deficit Control Act last year, recognized that severe measures must be undertaken to control runaway spending before the dramatic improvement in the Nation's economy experienced under this Administration is irreparably reversed.

The program of spending cuts and other reforms contained in the President's FY 87 budget would lead to a balanced budget at the end of five years and would thus remove a serious impediment to the continuation of the country's economic expansion.

In crafting his budget, the President had the responsibility of ensuring that those programs that can only be carried out by the Federal government--those for the Nation's defense, for the protection of the poor and the elderly, or for the enforcement of Federal laws, for example--were adequately funded. Other programs, particularly those that have accomplished their original purpose, that could be better operated by state and local governments, or that could be supported by the private sector, can no longer be supported with Federal funds.

This Administration believes that the programs of the Office of Juvenile Justice and Delinquency Prevention fall into this latter category.

In 1984, when the Federal deficit was $185 billion, the country's state and local governments enjoyed a combined surplus of approximately $50 billion. Why should the Federal government, which is operating under a huge deficit, pay for programs that benefit state governments, when those same governments are operating under budget surpluses? Why should the Federal government continuing borrowing money to pay for programs the states could support with their own funds?

As you know, Mr. Chairman, through the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, Congress gave OJJDP a mandate to assist the states in three specific areas: deinstitutionalizing status offenders (those juveniles whose offenses would not be offenses were they adults), diverting them from the judicial system and out of secure detention facilities and into community-based, non-judicial settings; separating delinquent juveniles from institutions in which they have regular contact with adults; and removing juveniles from adult jails or lockups.

A survey by my office, however, found that the states use only a small portion of OJJDP funds in support of the jail removal and deinstitutionalization mandates. In FY 85, states spent only 23 percent--roughly $9.3 million--for preadjudicatory alternatives in support of jail removal and the deinstitutionalization of status offenders. The largest percentage of funds-- 27 percent or $10.8 million--is spent on treatment and rehabilitation programs. Another 23 percent ($9.1

million) is spent on prevention programs, 20 percent ($7.8 million) is spent on system improvement programs, training, for example; and 2.5 percent ($960,000) is spent on advocacy programs. Thus, states are using Federal funds to finance programs they would support, and do, in fact, support, regardless of Federal assistance.

Although many of these *are* worthwhile programs, that does not mean that the Federal government should continue to provide funds for them. As President Reagan has so aptly pointed out, we can no longer *afford* every good program.

Meanwhile, states continue to move toward compliance with the mandates of the Act. As of the end of 1985, 43 states and territories have met the requirements of the Act by demonstrating substantial or full compliance with the deinstitutionalization mandate. As a result, juvenile status offenders are now only rarely held in secure detention facilities. Thirty-three states have complied with the requirements for the separation of adults and juveniles in adult jails and lockups, and 20 states have enacted legislation in support of the jail removal mandate. I have attached to my testimony the latest summary of states' compliance with the mandates of the Act. The summary contains data from the states' 1984 monitoring reports.

I am convinced that the states that now participate in the OJJDP program will continue their commitment to the deinstitutionalization, separation, and removal mandates even without the relatively small amount of Federal funding provided for these purposes. In fact, since the funds OJJDP provides to states are insufficient to cover the full cost of deinstitutionalization, separation, and removal, states participating in the program already have shown their commitment to the goals of the Act and to a large extent have supported compliance with state and local funds.

And inasmuch as it is the states who are paying most of the cost of the Act's mandates, it should be the states that decide how best to comply with them. Thomas Jefferson once warned, "Were we directed from Washington when to sow and when to reap, we should soon want for bread." And President Reagan has said time and again that we must recognize the constitutional principles of Federalism so that we can limit Federal intrusion and cumbersome Federal regulation regarding state and local matters.

There is no reason to believe that, in the absence of Federal support, states will now retreat from a commitment in which they themselves already have so heavy an investment, both financially and philosophically. Rather, following 11 years of Federal assistance, states and localities would now take over full support of what clearly is solely a state and local responsibility.

In the same way, other programs proven successful that have been supported using OJJDP funds would continue with state, local, or private funds. Federal grant money never was intended to be the continued sole support of new programs. For this reason, most projects are supported only for a period of three years. After that time, projects that have proven successful or worthwhile to a community are expected to become self-supporting or to be supported through state, local, or private funds.

OJJDP also has supported, through its National Institute for Juvenile Justice and Delinquency Prevention, a relatively small number of research projects. While this Administration supports the role of the Federal government in research, a separate unit subsidizing research on juvenile justice is not needed. Research in juvenile justice comprises only a small part of research on crime and justice. The National Institute of Justice serves as the research arm of the Department of Justice, and the Administration has pledged to continue support for this agency, which already conducts a number of research projects relating to juveniles.

Missing Children

During the more than three years of my administration of the Office, we have supported many worthwhile programs. Perhaps the most gratifying to me is the success of our Missing Children's Program.

I would like to clarify some of the confusion about funding for this program. The Missing Children's Program was authorized by the Missing Children's Assistance Act of 1984 and has an appropriation separate from that of OJJDP. The Administration requested and Congress has appropriated $4 million for the program in FY 86. No rescission of these funds has been requested.

In addition, the President has expressed his continuing support for efforts to recover missing children and prevent the abduction and exploitation of children by requesting $4 million for the program for FY 87. I think you will agree, Mr. Chairman, that this is evidence of the Administration's continuing concern for the welfare of these endangered children in appropriating these funds in what otherwise is a very lean domestic budget.

By passing the Missing Children's Assistance Act, Congress recognized the need to coordinate resources, develop, standardize, and disseminate effective policies and procedures regarding missing children across all jurisdictions, and provide a central focus for research, data collection, policy development, and information about missing children.

As required by the Act, a Missing Children's Advisory Board was appointed in January 1985 and met four times during the year. The Advisory Board advises the Attorney General and OJJDP on coordinating missing children's programs and activities and also provides advice in establishing funding priorities under the Missing Children's Program.

The Board also has prepared a comprehensive report on missing children that it plans to submit to the President, the Attorney General, and the Congress the day after tomorrow.

The report makes recommendations on the steps that should be taken to reduce the problem of abducted, abandoned, and runaway children and discusses the unintended consequences of deinstitutionalization on the problem. In addition, it addresses the question of the number of children actually missing, and clarifies some of the issues that continue to surround that question.

In accordance with the Act and with the advice of the Advisory Board, OJJDP has established seven funding priorities for the Missing and Exploited Children's Program.

First, a National Incidence Study to Determine the Actual Numbers of Missing Children will provide a comprehensive, reliable assessment of the missing children problem. To plan for this study, OJJDP solicited the expertise of researchers from various fields who had designed, funded, or conducted studies with similarly complex problems. A panel of these researchers met last August to advise OJJDP on issues that should be considered in designing the study. Based on the advice of this panel, OJJDP is undertaking a number of initial pilot tests to determine the best approaches for a later series of larger studies that will provide reliable estimates of the incidence of missing children, information on the context of the events, and data on the characteristics of the victims.

The second priority is a National Study of Law Enforcement Agencies' Policies and Practices for Handling Missing Children and Homeless Youth. Applications for this study have been reviewed, and we plan to make an award within the near future. The study is designed to describe current law enforcement policies and practices and to identify the most effective law enforcement methods for handling reports and investigating, identifying, and recovering children who may be missing or homeless and at risk of exploitation. The study also will provide better estimates of the number of cases of missing children reported to law enforcement agencies annually.

Under the third priority, funding has been provided to the Federal Law Enforcement Training Center at Glynco, Georgia, for a training program on handling missing and exploited children. The program is intended to help Federal, state, and local law enforcement personnel gain a better understanding of the problem of missing and exploited children and improve their skills in handling related cases.

The fourth priority is research on the relationship between missing and abducted children and sexual exploitation; the psychological consequences of abduction and sexual exploitation; and the child victim as witness. Research strategies for these issues are being developed by OJJDP.

The fifth funding priority is a training and public awareness program for practitioners involved with missing and exploited children.

OJJDP and the National Center for Missing and Exploited Children are developing, under the sixth program priority, an assistance program that will make up to 20 small, one-time awards to states that have legislatively established, state operated clearinghouses that serve as central repositories of information on children believed to be missing in the state. These two-year awards are intended to encourage states to develop clearinghouses and operate uniform data collection systems. States selected to receive OJJDP funding will be responsible for compiling accurate and relevant statistics and collaborating with the National Center for Missing and Exploited Children and OJJDP-sponsored research initiatives.

The final priority is assistance to private voluntary organizations. A cooperative agreement has been made to provide training and technical assistance in organization and administrative management for private voluntary organizations involved with missing and exploited children.

Through this program, there will be training sessions at 16 sites around the country during the next two years, a national conference of missing children's agencies, the identification and selection of five exemplary programs as host sites for training and technical assistance, and development of guidelines for successful missing children agency operation. Through a subcontractual agreement, the Adam Walsh Child Resource Center in Fort Lauderdale, Florida, will provide approximately 25 percent of the training.

Organizations participating in the program will be invited to submit applications for modest assistance and funds to further enhance their capabilities. These grants will focus on unique or especially effective programs run by private organizations.

The OJJDP Missing and Exploited Children's Program also supports the National Center for Missing and Exploited Children, which was established with OJJDP funds. The National Center serves as a national resource center to assist parents, citizens groups, communities, law enforcement agencies, and government institutions in a coordinated national effort to ensure the safety and protection of children. The Center operates a national toll-free telephone hotline through which individuals can report information relating to the location of missing children or to request information about procedures for reuniting children with their legal guardians. Since beginning, the hotline has received more than 100,000 calls and the Center has assisted in the recovery of some 3,600 children.

New Programs

While the budget situation has necessitated holding in abeyance funds for most programs planned for support in FY 86, several important new programs were begun early in the fiscal year which I would like to discuss.

In November, a cooperative agreement was made with the National District Attorneys' Association's American Prosecutors Research Institute to establish a National Center for the Prosecution of Child Abuse. The Center will provide technical assistance, training, and clearinghouse services to improve local prosecutors' handling and treatment of child victims. The Center also will develop model legislation and conduct training for others involved in the prosecution and treatment of child physical and sexual abuse cases.

Another new project, the Private Sector Probation Program, is designed to demonstrate the feasibility of private sector involvement in the delivery of probation services currently being provided by the public sector. During my tenure as OJJDP Administrator, Mr. Chairman, I have been encouraged by the considerable interest of the private sector in providing services in many areas of the justice system. Private sector spending already far outweighs government expenditures for criminal justice services, and I believe that the private sector will relieve more and more of the burden from overwhelmed government agencies.

Faced with fiscal constraints, local policy makers have begun looking for new approaches and techniques to operate probation departments more cost-effectively.

Research studies indicate that referral to probation is the most common juvenile court sanction used. More than 80 percent of adjudicated offenders are placed on some form of probation. The provision of probation services consumes the largest share of state and county correctional dollars, and generally employs the greatest number of correctional professionals.

The Private Sector Probation Initiative would target local and state jurisdictions that are interested in contracting out either selected parts of their probation functions or the entire probation function to a private sector agency and provide assistance in developing such contracts with the private sector.

Conclusion

Although other programs were planned for implementation in FY 86, no further awards will be made until Congress makes a decision concerning the President's request for a rescission of

OJJDP funds. Of the $67.6 million appropriated for OJJDP in FY 1986 (not including the Missing Children's appropriation), $60,797,000 is proposed for rescission. An additional $2.9 million will be sequestered under the March deadline of the Balanced Budget Act.

While I believe the Office of Juvenile Justice and Delinquency Prevention could provide some valuable information to the criminal justice community about juvenile crime and delinquency through the programs I have outlined here today, the simple fact is that the Federal government cannot afford them.

Thank you, Mr. Chairman, I will be pleased to respond to any questions you or Members of the Subcommittee may have.

Summary of State Compliance with Section 223(a)(12), (13) and (14) of the Juvenile Justice and Delinquency Prevention Act

There are 57 states and territories eligible to participate in the JJDP Act Formula Grant Program. Currently, 52 are participating; the five not participating are Hawaii, Nevada, North Dakota, South Dakota, and Wyoming. According to the 1984 State Monitoring Report, the following is a summary of the compliance with Section 223(a)(12), (13) and (14).

I. SECTION 223(a)(12)(A)

Deinstitutionalization of Status Offenders and Nonoffenders

A. Of the 52 participating states, 50 have participated for five or more years, and thus, are required to be in full compliance with Section 223(a)(12)(A) of the Act to maintain eligibility for FY 1986 formula grant funds. Of these 50 states and territories, a determination has been made that the following 43 states and territories are in full compliance pursuant to the policy and criteria for full compliance with de minimis exceptions:

Alabama
Alaska
American Samoa
Arkansas
California
Colorado
Connecticut
Delaware
Florida
Georgia
Guam
Idaho
Indiana
Iowa
Kansas
Kentucky
Louisiana
Maine
Massachusetts
Michigan
Minnesota
Mississippi
Missouri
Montana
New Hampshire
New Mexico*
New York
Northern Marianas
Ohio
Oregon
Pennsylvania*
Puerto Rico
Rhode Island
South Carolina
Tennessee
Trust Territory
Utah
Vermont
Virginia
Virgin Islands
Washington
West Virginia
Wisconsin

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*New Mexico and Pennsylvania were exempted from submitting a 1984 Monitoring Report. Compliance findings are based on previous reports.

Two (2) of the 50 states and territories have been found not in full compliance with Section 223(a)(12). Until a finding of full compliance is made, the following two states are not eligible for the FY 1986 formula award.

Arizona
North Carolina

An official finding has not been made on the following five (5) states. Upon the resolution of issues and/or the provision of additional information and the subsequent finding of compliance, the states will be eligible for the FY 1986 formula grant. It is anticipated that an official finding will be made no later than mid-fiscal year 1986.

District of Columbia
Illinois
Maryland
New Jersey
Texas

B. One (1) of the 52 participating states, Nebraska, must achieve substantial or better compliance to be eligible for FY 1986 formula grant funds. Nebraska has been found not in substantial compliance. Until a finding of substantial compliance is made, the State is not eligible for the formula award.

C. Of the 52 participating states, one (1) state, Oklahoma, must demonstrate progress to maintain eligibility for FY 1986 funds, and Oklahoma has done so.

II. SECTION 223(a)(13)

Separation of Juvenile and Adult Offenders

A. Thirty-three (33) of the 52 participating states and territories have demonstrated compliance with Section 223(a)(13) of the Act. Those states which have been found in compliance with this requirement pursuant to the regulatory requirements regarding compliance are:

Alabama*
American Samoa
Arizona
Arkansas*
Connecticut
Delaware
Florida
Georgia
Guam
Iowa
Louisiana*
Maine
Massachusetts
Michigan
Minnesota
New Mexico
New York
North Carolina
Northern Marianas
Oregon
Pennsylvania
Puerto Rico
Rhode Island
South Carolina
Tennessee*
Trust Territory
Utah
Vermont
Virginia
Virgin Islands
Washington
West Virginia*
Wisconsin

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*The finding of compliance for these states was based upon the demonstration and determination that the four criteria contained in 28 CFR 31.303(f)(6)(ii)(B) were met.

B. Of the 52 participating states and territories, ten (10) states have been found to be making progress toward achieving compliance. These states are:

Alaska
Colorado
Idaho
Kansas
Kentucky
Mississippi
Missouri
Montana
Ohio
Oklahoma

C. One state, Indiana, has been found to be making progress but must demonstrate compliance to be eligible for the FY 1986 formula award.

D. It was determined that two (2) states, California and New Hampshire, reported no progress being made toward achieving compliance.

E. No determination of progress toward achieving compliance was made for one (1) state, Nebraska. This was due to incomplete data.

F. An official finding has not been made on the following five (5) states. Upon the resolution of issues and/or the provision of additional information and the subsequent finding of compliance or progress, the states will be eligible for the FY 1986 formula grant. It is anticipated that an official finding will be made no later than mid-fiscal year 1986.

District of Columbia
Illinois
Maryland
New Jersey
Texas

III. SECTION 223(a)(14)

Removal of Juveniles from Adult Jails and Lockups

All participating states and territories should demonstrate full compliance—but must demonstrate at least substantial compliance (i.e., a 75% reduction) with the jail removal requirement beginning after December 1985. Eligibility for FY 1986 formula grant funds is not dependent upon the state's level of compliance with the jail removal requirement of Section 223(a)(14) of the Act.

IV. DISCUSSION OF DATA

The summary of state compliance with requirements of Section 223(a)(12), (13) and (14) of the JJDP Act, as amended, is based upon the 1984 monitoring reports which determine states' eligibility for FY 1986 formula funds (10/1/85 - 9/30/86).

Attached are three (3) fact sheets showing state-by-state information/data on the number of status offenders and nonoffenders held in secure detention and correctional facilities, the number of juveniles held in regular contact with incarcerated adults, and the number of juveniles held in adult jails and lockups. The data presented represents a 12-month period, was actual data for approximately 40 states, and was projected to cover a 12-month period for the remaining 52 participating states. All current data is that provided as "current data" in the 1984 Monitoring Report, unless otherwise noted. The current data generally represents a reporting period covering a period during either calendar year or fiscal year 1984. The source of the baseline data is noted on each fact sheet. Only participating states are included in the figures.

Section 223(a)(12)

The nationwide baseline data for the number of status offenders and nonoffenders held in secure detention and secure correctional facilities was determined to be 198,868. The nationwide current data showed 6,429 status offenders and nonoffenders held in secure facilities. The data does not include status offenders and nonoffenders held less than 24 hours during weekdays and those held up to an additional 48 hours (i.e., a maximum of 72 total hours) over the weekend, nor does it include those charged or found to be in violation of a valid court order. By comparing the baseline and current data, the number of status offenders and nonoffenders held in secure facilities has been reduced by 96.8% over the past 7 to 9 years. According to the Bureau of Census Population Reports by Age and Component of Change; 1980-1984, approximately 63,002,000 under the age of 18 years reside in the participating states. Thus, the number of status offenders and nonoffenders currently held computes to a national ratio of 10.2 status offenders and nonoffenders securely held per 100,000 population under age 18 years. This national ratio falls within the acceptable range which is contained in OJJDP's policy and criteria for determining an individual state level of compliance with de minimis exceptions to full compliance.

Section 223(a)(13)

The national baseline data for the number of juvenile offenders held in regular contact with incarcerated adult offenders was determined to be 105,303. The nationwide current data revealed 17,928 juveniles held in regular contact with adults. This data includes only those juvenile offenders under the jurisdiction of the juvenile court and does not include those who have been waived or transferred to criminal court or those juvenile offenders whose court of original jurisdiction is a court other than juvenile or criminal court. A comparison of the baseline and current data shows a 83% reduction over approximately a seven-year period. This computes to a ratio of 28.5 juvenile offenders held in regular contact with incarcerated adults per 100,000 population under age 18 years.

Section 223(a)(14)

The nationwide baseline data for the number of juveniles held in adult jails and adult lockups was determined to be 107,124. The nationwide current data reveal 63,238 juveniles held in jails and lockups. The data does not include criminal-type juveniles held less than six hours, juveniles having charges filed in a court of criminal jurisdiction and juveniles held less than 24 hours in those jurisdictions meeting the non-MSA exception. By comparing the baseline and current data, the number of juveniles held in adult jails has been reduced by 41%, from approximately 2 to 3 years previous. The current number computes to a ratio of 100.4 juveniles held in adult jails and lockups per 100,000 population under age 18.

The jail removal provision of Section 223(a)(14) does not require the states to achieve substantial or full compliance to be eligible for FY 1986 dollars. States should demonstrate full compliance but must demonstrate at least substantial compliance in the report covering January 1986 and beyond. Based upon the number of juveniles held in adult jails and lockups, there has been a 41% reduction, which computes to a ratio of 100.4 per 100,000 population under age 18.

Attachments (3)

Prepared by:
Doyle A. Wood
State Relations and
Assistance Division
Office of Juvenile Justice
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January 31, 1986

SECTION 223(a)(12)

NUMBER OF STATUS OFFENDERS AND NONOFFENDERS HELD IN SECURE FACILITIES *A

	Baseline *B	Current *C
Alabama	4,836	44
Alaska	485	15
American Samoa	6	0
Arizona	6,610	365
Arkansas	3,702	12
California	34,216	130
Colorado	6,121	196
Connecticut	699	0
Delaware	374	0
Dist. of Columbia	178	6
Florida	9,188	0
Georgia	4,047	44
Guam	228	0
Hawaii	Not Participating	
Idaho	1,836	63
Illinois	5,391	50 *F
Indiana	7,494	506
Iowa	1,204	41
Kansas	1,826	84
Kentucky	4,849	252
Louisiana	3,179	53
Maine	41	0
Maryland	857	2
Massachusetts	37	0
Michigan	14,344	368
Minnesota	6,309	13
Mississippi	1,170	60
Missouri	4,786	311
Montana	1,224	4
Nebraska	546 *D	434
Nevada	Not Participating	-
New Hampshire	200	26
New Jersey	217	13
New Mexico	2,376	16 *G
New York	7,933	2
North Carolina	2,678	552
North Dakota	Not Participating	
Northern Marianas	0	0
Ohio	16,552	829
Oklahoma	208 *E	308
Oregon	4,110	44
Pennsylvania	3,634	45 *H
Puerto Rico	961	2
Rhode Island	1,372	19
South Carolina	1,568	66
South Dakota	Not Participating	-
Tennessee	4,078	36
Texas	4,722	875 *F
Trust Territories	0	0
Utah	2,448	132
Vermont	218	1
Virginia	6,558	217
Virgin Islands	178	0
Washington	9,600	185
West Virginia	627	0
Wisconsin	2,867	93
Wyoming	Not Participating	-

TOTALS

Baseline	Current
198,868	6,629

*A - All data is 12 month actual or projected to cover a 12 month period. The data does not include those status offenders and nonoffenders held less than 24 hours and those charged or found to be in violation of a valid court order.

*B - Baseline data is that data reported as baseline data in the 1979 report (unless otherwise noted).

*C - Current data is that provided in the 1984 report (unless otherwise noted).

*D - Nebraska baseline data is that provided as baseline data in 1981 report.

*E - Oklahoma baseline data is that provided as baseline data in 1984 report.

*F - Illinois and Texas current data is that provided as current data in 1983 report.

*G - New Mexico current data is that provided as current data in 1982 report.

*H - Pennsylvania current data is that provided as current data in 1980 report.

SECTION 223(a)(13)

NUMBER OF JUVENILES HELD IN REGULAR CONTACT WITH INCARCERATED ADULTS *A

	Baseline *B	Current *C
Alabama	3,300	108
Alaska	874	357
American Samoa	0	0
Arizona	25	0
Arkansas	8,726	852
California	3,061	3,090
Colorado	6,750	528
Connecticut	3	0
Delaware	0	0
Dist. of Columbia	0	0
Florida	1,996	0
Georgia	1,769	11
Guam	0	0
Hawaii	Not Participating	-
Idaho	2,011	1,738
Illinois	777	0 *F
Indiana	8,580	204
Iowa	1,993	22
Kansas	1,716	222
Kentucky	5,702	2,676
Louisiana	3,523	61
Maine	1,186	0
Maryland	229	0
Massachusetts	0	0
Michigan	0	0
Minnesota	3	0
Mississippi	2,280	124
Missouri	3,278	87
Montana	1,878	42
Nebraska	0	0
Nevada	Not Participating	-
New Hampshire	74	96
New Jersey	42	4
New Mexico	6,696	0 *G
New York	27	0
North Carolina	0	0
North Dakota	Not Participating	-
Northern Marianas	20	0
Ohio	5,751	126
Oklahoma	7,457 *D	7,457
Oregon	1,798	0
Pennsylvania	3,194 *E	14 *E
Puerto Rico	3	0
Rhode Island	176	0
South Carolina	3,984	0
South Dakota	Not Participating	-
Tennessee	7,574	48
Texas	370	50 *F
Trust Territories	3	0
Utah	22	0
Vermont	0	0
Virginia	5,626	0
Virgin Islands	13	4
Washington	2,088	0
West Virginia	960	5
Wisconsin	1,857	0
Wyoming	Not Participating	

TOTALS

Baseline	Current
105,303	17,928

*A - All data is 12 month actual or projected to cover a 12 month period.

*B - Baseline data is that data provided as baseline in 1981 report.

*C - Current data is that provided in the 1984 report (unless otherwise noted).

*D - Oklahoma baseline data is that provided as baseline data in 1984 report.

*E - Pennsylvania data is that provided in 1980 report.

*F - Illinois and Texas current data is that provided as current data in 1983 report.

*G - New Mexico current data is that provided as current data in 1982 report.

SECTION 223(a)(14)

NUMBER OF JUVENILES HELD IN ADULT JAILS AND LOCKUPS *A

	Baseline *B	Current *B
Alabama	1,180	992
Alaska	864	817
American Samoa	0	0
Arizona	240	91
Arkansas	1,968	1,260
California	10,613	10,613
Colorado	6,112	1,437
Connecticut	0	27
Delaware	0	0
Dist. of Columbia	0	0
Florida	117	62
Georgia	130	60
Guam	0	0
Hawaii	Not Participating	-
Idaho	3,369	1,172
Illinois	2,472 *C	1,492 *C
Indiana	9,552	5,345
Iowa	1,591	1,118
Kansas	1,110	1,110
Kentucky	1,018	1,274
Louisiana	336	146
Maine	754	827
Maryland	1	1
Massachusetts	1,346	1,346
Michigan	1,104	2,112
Minnesota	1,639	1,361
Mississippi	334	182
Missouri	768	515
Montana	934	325
Nebraska	3,566	1,973
Nevada	Not Participating	-
New Hampshire	502	579
New Jersey	27	11
New Mexico	8,060 *D	8,060 *D
New York	52	2
North Carolina	296	499
North Dakota	Not Participating	-
Northern Marianas	14	36
Ohio	3,527	738
Oklahoma	7,457	7,457
Oregon	1,047	0
Pennsylvania	- *E	- *E
Puerto Rico	38	20
Rhode Island	970	1,777
South Carolina	3,897	1,647
South Dakota	Not Participating	-
Tennessee	8,412	412
Texas	12,353 *C	3,140 *C
Trust Territories	351	327
Utah	188	77
Vermont	0	0
Virginia	3,578	808
Virgin Islands	0	4
Washington	415	148
West Virginia	189	5
Wisconsin	4,633	1,830
Wyoming	Not Participating	-

TOTALS

Baseline	Current
107,124	63,238

*A - All data is 12 month actual or projected to cover a 12 month period. The data does not include criminal-type (delinquents) juveniles held less than 6 hours, juveniles having charges filed in criminal courts, and juveniles held in those jurisdictions meeting the non-MSA exception criterion.

*B - Baseline and current data is that data reported in the 1984 report (unless otherwise noted).

*C - Illinois and Texas data is that provided in the 1983 report.

*D - New Mexico data is that provided in the 1982 report.

*E - No data is available from Pennsylvania since the State is exempt from submitting a 1984 report.

JUVENILE COURT OF BIBB COUNTY
BIBB COUNTY COURTHOUSE
Telephone 749-6448
MACON, GEORGIA 31201

CHIEF PROBATION OFFICER
Clayton J. Branan

JUDGE
[illegible] W. [illegible]

February 24, 1986

President Reagan
The White House
Washington, D. C. 20510

Dear Mr. President:

I urge you to continue your efforts to eliminate the Justice Department's Office of Juvenile Justice and Delinquency Prevention. I have served as Chief Probation Officer of the Juvenile Court of Bibb County, GA, for over fifteen years. During this time local efforts to deal with local needs have evaporated as the court continually implements new OJJDP restrictions on direct services to juveniles.

There is a little money (still too much) available from the Federal government to the state. The Georgia Division of Youth Services adopts any rule required by OJJDP just to get the money. Usually children suffer as court officers complete forms and heel to restrictions rather than provide what local events and instincts require.

This country became great through the efforts of local government. We can retain that status only if we are freed of the Federal bureaucracy.

Sincerely,

Clayton J. Branan
Chief Probation Officer

CJB/mr

QUESTIONS SUBMITTED TO ALFRED S. REGNERY BY SENATOR DENTON

LAW RELATED EDUCATION

Mr. Regnery, as you know the reauthorized Juvenile Justice and Delinquency Prevention Act mandates that OJJDP makes grants for the purpose of "developing and implementing further a coordinated, national law-related education program of delinquency prevention, including training programs for persons responsible for the implementation of law-related education programs in elementary and secondary schools."

It is my understanding that OJJDP has met this mandate by funding a five member consortium including the Center for Civil Education/Law in a Free Society, the Constitutional Rights Foundation, the National Institute for Citizens Education in the Law, Phi Alpha Delta Law Fraternity International, and the Special Committee on Youth Education for Citizenship of the ABA.

Assuming that the request for rescission is rejected by the Congress, is it the intent to fund this consortium at the current or increased level?

Follow-up: In other words the grant to the sixth member of the consortium, the Center for Judicial Studies, will have no adverse effect on the current grantees?

LAW RELATED EDUCATION - THE GRANT TO JIM MCCLELLAN'S CENTER FOR JUDICIAL STUDIES

Regarding the law related education grant to Dr. James McClellan and the Center for Judicial Studies, I must say that in the eyes of this Senator, Dr. McClellan is an eminently qualified grantee. As indicated by his resume, a copy of which I would ask to be placed in the record, it is apparent that Dr. McClellan is a constitutional scholar of unquestionable ability.

Mr. Regnery, it is my understanding that the grant application has been pending with OJJDP for some eight months and that during such pendency, the five member consortium met with Dr. McClellan or one of his representatives a number of times. It is further my understanding that the consortium is satisfied with Dr. McClellan's credentials and, in fact, believes that his background fills a present void. Finally, it is my understanding that the current grantees have no fear that the McClellan grant will tip the balance idealogically towards the right? Could you comment on these observations?

YOUTH SUICIDE

This Subcommittee has a deep concern about the national tragedy of youth suicide. The Subcommittee has conducted two hearings on the subject and Senator Specter and I are currently working with HHS and the Youth Suicide National Center to publish the working papers from the June 1985 National Conference on Youth Suicide.

My question is two parts:

1. Has OJJDP updated the 1978 figures on juveniles who commit suicide in adult secure detention facilities?

2. What initiatives, if any, has OJJDP been involved in to deal with youth suicide?

JUVENILE ARSON

On April 23, 1985, this Subcommittee heard testimony on the disturbing phenomenon of juvenile arsonists and firestarters.

Experts testified that almost half of arson arrestees nationwide are juveniles, and that the number of juveniles arrested for arson and related crimes is increasing. Fifty to seventy percent of fires occurring in our schools are intentionally set by students.

On April 30, 1985, Senators Specter, McConnell and myself wrote the Justice Department pointing out the need for Federal attention to this serious problem.

What, if anything, is OJJDP doing to combat juvenile arson?

U.S. Department of Justice

Office of Juvenile Justice and
Delinquency Prevention

Washington, D.C. 20531

The Honorable Jeremiah Denton
United States Senate
Washington, D.C. 20510

Dear Senator Denton:

This is in response to your questions resulting from the Senate Judiciary Committee's Subcommittee on Juvenile Justice hearing on March 5, 1986, concerning the Office of Juvenile Justice and Delinquency Prevention.

I am pleased to provide you with the following information concerning the Office's Law-Related Education and juvenile arson programs and the problem of youth suicide:

Concerning the Law-Related Education Program, it is the intent of OJJDP to maintain the current level of funding for the original five members of the consortium, if the request for rescission is rejected. Thus, the grant to the sixth member, the Center for Judicial Studies, will not adversely affect future grants to the other five members.

Further, with regard to Dr. McClellan's credentials, I would certainly agree, as you have stated, that "Dr. McClellan is eminently qualified." His Ph.D., law degree, research and academic achievements, and specialized concentration on constitutional issues command respect and recognition as an eminently qualified scholar in the area for which the grant has been given to the Center for Judicial Studies. In addition, Dr. Jerry Combee, who also is working on the grant, has an impressive background qualifying him for his tasks. Dr. Combee attends each meeting of the leaders of the consortium, and both he and Dr. McClellan have familiarized themselves with the materials that have been produced and used by the other grantees in order to avoid wasteful duplication.

Although no survey has been taken, key consortium members have indicated respect for the Center and none has expressed opposition to its addition to the LRE program. There have been explicit statements that the projected efforts of the Center will fill a void and explicit statements of support for the additions that the Center for Judicial Studies will make to the project.

We do not know whether there are fears by the current grantees that the McClellan grant will tip the balance ideologically. We have not asked (nor would we) any questions pertinent to such a concern. Perhaps one or more grantees have such a fear; however, the referenced statements of respect for the Center staff capability and for the grant objectives are more important considerations. In the final analysis, the schools select as they please from the materials offered by the Law-Related Education Program. That is their prerogative.

In regard to your questions about youth suicide, neither OJJDP, nor to our knowledge any other Federal agency, has updated the 1978 figures on juveniles who commit suicide in adult secure detention facilities, and OJJDP has been involved in no initiatives to deal with youth suicide.

I am pleased to inform you that OJJDP shares your concern about juvenile arson. In November, 1985, my office made a grant to the National Firehawk Foundation to support the Firehawk Children's Program. This is a national program that will provide the following during the first year's grant: 1) training and technical assistance in fire safety, and fire prevention education materials, games, and activities to fire departments; 2) a companion program pairing children within the age group of five to 13 years old with fire fighter volunteers; 3) a referral program designed to connect children and their families having complex problems with helping professional agencies; 4) an apprentice program that provides fire departments with activities for children interested in fire fighter careers; 5) on-site technical assistance and training for Firehawk programs interested in becoming state and regional associations; 6) eight Firehawk training workshops; and, 7) an evaluation of the above training and technical assistance efforts.

In addition, the National School Safety Center provides technical assistance to school systems in reducing school arson--a significant type of vandalism.

I trust the information I have provided will prove helpful to you. Please let me know if I can be of further assistance to you concerning this matter.

Sincerely,

Alfred S. Regnery
Administrator

RESPONSES OF ALFRED S. REGNERY TO WRITTEN QUESTIONS FROM SENATOR SPECTER

1. Q. Why did the Office of Juvenile Justice and Delinquency Prevention wait two months after freezing funds to notify the states officially in writing regarding the status of their Fiscal Year 1986 grants?

A. The Office notified the states of the pending rescission request of FY 1986 Juvenile Justice Act funds as soon as all the details were known. The President's formal rescission request was transmitted to Congress on February 5, and letters to the states were dated February 12.

2. Q. Do you believe that the mandates of the Juvenile Justice and Delinquency Prevention (JJDP) Act have been met? If so, what is the basis for your conclusion regarding the jail removal mandate if the Office of Juvenile Justice and Delinquency Prevention (OJJDP) will not receive monitoring reports through December 8, 1985, from the states until December 31, 1986?

A. As contained in my March 5, 1986, prepared statement before the Senate Juvenile Justice Subcommittee, "states continue to move toward compliance with the mandates of the Act." A summary of the state compliance with the JJDP Act requirements of Section 223(a)(12), (13),and (14) is provided as Attachment 1. At no time have I asserted that the jail removal mandate has been fully met.

3. Q. OJJDP policies permit certain classes of juveniles to be excluded from reporting requirements for monitoring purposes. States do not have to report juveniles held in jails under six hours or juveniles held in jails in non-SMSAs (Standard Metropolitan Statistical Area). Therefore, it is possible for states to be found in full compliance with the mandates, even though juveniles are being held in jails. What responsibility, if any, does OJJDP have to assist states to meet fully the mandates of the JJDP Act?

A. OJJDP developed regulations allowing the latitude and exceptions based upon specific statutory exceptions provided by Congress and based upon the legislative history where Congress stated that they expected a "rule of reason" to be followed in implementing the jail removal mandate by OJJDP providing for the 6-hour exception.

Therefore, it is possible for states to be found in compliance, even though juveniles are being held in jails, because Congress has provided for such. Although states may be found to be achieving the mandate by meeting the minimum level of compliance, OJJDP continues to have a responsibility to assist states in further reducing the incidences of juvenile jailing. This responsibility stems from Section 102(a)(8) which establishes that a purpose of the Act is "to assist" state and local governments in removing juveniles from jails and lockups for adults.

The State Relations and Assistance Division (SRAD) staff provide on-site technical assistance to help states achieve and maintain compliance. The SRAD staff also conduct formal training for State Advisory Group members and State Juvenile Justice Specialists in states as well as at regional workshops. The assistance provided by OJJDP through both staff and a Technical Assistance contract also supports many special state efforts focused upon stimulating the state's capability of generating local resources to achieve and maintain compliance with the jail removal requirement.

4. Q. What is the basis for your statement that the states will assume the costs of funding programs currently funded by OJJDP? Do you believe that the states, without OJJDP, will continue to work towards meeting the mandates of the JJDPA?

A. The contribution that OJJDP makes to state budgets for juvenile justice is relatively small. In California, for example, the total budget for the California Youth Authority is approximately $150 million of which OJJDP provides $2.2 million or only 1.5% of the total. Surely, the California legislature can make up the difference if they see it in their interest. In fact, state and local governments enjoyed a combined surplus of $40 billion in 1984 which makes it indefensible for the federal government to pay for programs that states can provide for themselves.

As to the second part of the question, only 23% of OJJDP money is spent on compliance with the JJDPA. The remaining 77% is expended for such things as treatment and rehabilitation, system improvement; training and advocacy. The states could easily replace that 23%. Also, the mandates of the JJDPA have been, over the twelve years the Act has been effect, institutionalized instate codes and organizational structures. It would be expensive for states to overhaul their systems at this point to revert to former practices.

5. Q. The state advisory groups indicate that states will not be able to continue their juvenile justice programs without OJJDP funds. The SAGs note that projects will end, staff will be laid off, and agencies will be closed if OJJDP is abolished. What is your reaction to these claims?

A. These claims are largely hyperbole designed to maintain the flow of federal money. As indicated in Question #4, states have the means to fund programs they consider beneficial. The argument that social situations will degenerate to the "bad old days before . . ." if government does not maintain its big brother position is usually made by those who are invested in the system, dependent upon it for their livelihood and status in their fields, and prefer that the locus of the system be in Washington where they can concentrate their influence to perpetuate their positions. They will vociferously defend the status quo irrespective of any cogent arguments for change.

6. Q. Do you believe that progress towards meeting the mandates of the Act will slow or cease if OJJDP is abolished? Why?

A. The federal government is not the only repository in the land of good will, sound judgment and innovation. Responsible people in state governments have been able to assess the value of the mandates of the JJDPA over the past twelve years and will provide funding accordingly. (See also Question #4.)

7. Q. Some states have indicated that a possible result of elimination of OJJDP is a return to a situation similar to that prior to passage of JJDPA. What is your assessment of this view?

A. With few exceptions, no regression has ever taken place in a social movement in American history. The labor union movement, for example, in time brought about sweeping changes in American laws, attitudes and expectations. The trend of declining membership within labor unions belies their success in bringing about these changes. So too, in juvenile justice, reforms have been codified and accepted by practitioners and the public. (See also Questions #4 and #5.)

8. Q. Fiscal Year 1986 is approximately half over. States rely on OJJDP Program Plans for administration of their own programs. What is the status of the FY 1986 Program Plan? Has the Plan been completed? If so, has the Plan been disseminated? What are the reasons for this delay?

A. The FY 1986 Program Plan is complete. If and when the Program Plan is disseminated depends on the outcome of the FY 1986 Juvenile Justice appropriation.

Delay is due to the proposed rescission on the FY 1986 Juvenile Justice appropriation.

9. Q. Do the SAGs and juvenile justice professionals have any input into composition of the Program Plan? Are there any formal procedures for SAGs and juvenile justice professionals to offer their input into the Program Plan?

A. There is no formal procedure for input into the composition of the Program Plan by the SAGs and juvenile justice professionals. However, any comments, questions, or concerns they have are welcome.

10. Q. What is the status of the peer review regulations? Without these regulations, on what basis are you awarding discretionary grants?

A. The peer review regulations were published in the Federal Register Volume 50, No. 149, August 2, 1985.

11. Q. By what criteria do you judge an application to be of such extraordinary merit to receive sole source funding? What are the "merits" of the National Partnership for Drug and Alcohol Abuse which warranted sole-source funding?

A. The criteria used to determine outstanding merit can be found in Section 225(d)(1)(B)(i) of the Act. Each peer reviewer was asked to determine, based upon their expertise, whether the program concept was of such outstanding merit that the award of the grant without competition was justified. In each case, the reviewer made such a determination as well as suggestions for improving the grant application.

It should be emphasized that the Partnership represents a bold and innovative approach in forging the diverse interests of a broad ranging public and private constituency behind a common goal and national strategy. Consequently, the provision of sole source funding to a new corporate entity was appropriate in order to afford an acceptable forum to such diverse membership.

The National Partnership is a nationwide alliance of local, regional, and national organizations representing the media, professionals in the field of drug and alcohol abuse and corporate America. The Partnership is established to bring these groups together in an effort to prevent substance abuse among youth. Its major activities will include efforts to enhance awareness of the critical importance of drug and alcohol abuse and how it can be prevented; stimulate the development of similar local alliances to carry on effective abuse prevention programs in states and communities throughout the country; provide professional services in support of those activities; and bring new ideas and resources to the task of reducing and eliminating abuse.

12. Q. You recently awarded $188,000 to James McClellan, head of the Center for Judicial Studies. The first installment of $47,000 was awarded for the first three months. How was it possible to award this grant if OJJDP funds are frozen? Was this grant awarded on a competitive basis? If not, why not?

A. Not all OJJDP funds are part of the rescission request. The agency had made commitments for some applications in process and sufficient funds were held out to provide discretionary grants with continuation funds until Congress had acted on the proposed rescission. This grant was one of the applications for which commitments had been made.

This grant was made on a non-competitive basis in accordance with Section 225(d)(1)(B)(i) of the Juvenile Justice and Delinquency Prevention Act.

13. Q. Many states have developed model juvenile codes. Why did OJJDP spend $996,266 to develop a model code through the Rose Institute at Claremont McKenna College?

A. Section 246(b) of our enabling legislation expresses the intent of Congress that OJJDP concern itself with the development and support of a model state juvenile code. Practitioners and scholars in the field have likewise indicated the need for such concern, noting both the importance of state legislative activity in shoring up juvenile justice, and the unevenness, uncertainty, or outright failure of past state legislative accomplishments in this respect. (See Marc Miller in The Juvenile Justice Rehabilitation Reader, Rand, 1985; also see Barry Krisberg, Ira Schwartz, Paul Litsky and James Austin in Crime and Delinquency, NCCD, January, 1986).

While some state codes are more advanced than others, there has neither been a concensus regarding model code provisions nor an effective procedure for reaching such a concensus. The Rose Institute project addresses both these problems. Based on an analysis of all codes, and other current knowledge, it is assembling a model code grounded in the principle of individual responsibility and system accountability. It is also developing training for state legislators designed to provide information, a forum for debate, and an opportunity to achieve a concensus regarding a tenable model of a state juvenile code.

OJJDP is satisfied that there is ample justification for our funding of the Juvenile Justice Reform project. We also have sufficient documentation on file to show that the Rose Institute and its affiliates are eminently qualified to conduct the work.

It is worth noting in conclusion that early results from the grant serve to accentuate the need of this federal assistance for state legislative action on code reform. A just completed analysis of existing codes confirms that there is substantial diversity and inconsistency (lack of uniformity) among them. Furthermore, a recent practitioner survey reveals that, in terms of perceived effectiveness, of seven organizational entities connected with the juvenile system, the performance of legislatures was rated as the poorest (the highest approval rating went to the police).

14. Q. OJJDP has funded development of four sets of national standards. Are any of these standards being used in the development of the Rose Institute's model code? Congress required OJJDP to develop these standards. What, if anything, is OJJDP doing to encourage the states to implement these standards?

A. The staff of the Juvenile Justice Reform project are aware of the several sets of national juvenile justice standards. They have reviewed particular standards, predominantly those dealing with due process issues, prior to drafting the model code. However, the project's main thrust was to go directly to the analysis of existing state juvenile codes, to survey justice system practitioners and state legislators regarding system reform requirements, and to conduct a comprehensive review of literature in the field.

Although the standards are not the primary source of information, they will continue to be used as reference materials for finalizing the model legislation.

Overall, OJJDP encourages the implementation of juvenile justice standards. Important vehicles for this purpose include our information dissemination and technical assistance delivery procedures.

A specific example of OJJDP's support of standards implementation is a cooperative agreement with the American Correctional Association to promulgate and apply policy and procedural guidelines for juvenile detention facilities.

15. Q. The Administration often has stated that crime is a serious problem in this country and the Administration is combatting crime. Those involved in the criminal and juvenile justice systems know that, if any impact is to be made in fighting crime, it is absolutely necessary to work with juveniles. How do you explain this position in light of Administration attempts to abolish OJJDP?

A. The vast majority of all expenditures on juvenile crime come from state and local governments, which will continue. Programs commenced by OJJDP during this Administration will, in many cases, continue for a sufficient period to demonstrate their effectiveness, and will, thereafter, be funded by state and local governments and the private sector.

16. Q. When the FY 1986 funds are made available, does OJJDP plan to sponsor a national State Advisory Group conference? If so, when? If not, why not?

A. I have not yet made a decision whether OJJDP will sponsor a national State Advisory Group conference this year.

17. Q. I am advised by copies of correspondence to OJJDP from the Northeast Coalition and the National Coalition that OJJDP may not be in compliance with Section 225(b)(5),(6), and (8) of the Act, which require applications for Special Emphasis funding to request a review and comment from the State Planning Agency, or its equivalent, and attach a copy of the agency's response to each application. Applicants also are required to send regular reports on programs to the Administrator and to the appropriate state agency. This issue was raised in a letter to you from the Northeast Coalition dated February 14, 1985. On December 4, 1985, the National Coalition wrote to you to follow up on establishment of a mechanism to enable OJJDP to comply with this section of JJDPA. Has this mechanism been implemented? If not, why not? Is OJJDP complying with this section of the Act? If so, how? Has OJJDP responded to these letters from the Northeast Coalition and the National Coalition? If so, what were your responses?

A. The law was passed in October of 1984. Since that time we have funded primarily continuation projects and some national scope projects (where there is no cognizant state agency).

Examples of national scope projects are: Center for Judicial Studies; Permanent Families (CASA); Boy Scouts of America, "Exploring Careers in Criminal Justice", and the National Center for State Courts' juvenile justice training program.

One contract has been awarded, for the Private Sector Probation Initiative. This was a national scope program with no cognizant SPA.

All future RFPs and RCAs will stipulate, in the section on application procedures, that applicants must comply with the Act. As a result, the states will be advised where appropriate.

18. Q. OJJDP has continued to provide financial support to the Law-related Education Program among its special emphasis delinquency prevention and treatment grants. This successful delinquency prevention program has strong support in Congress, as demonstrated by its "top priority" status in special emphasis programs in the 1984 Amendments to the JJDPA and that both the House and Senate Appropriations Committees specifically mentioned it in their fiscal year 1986 appropriations reports. Is the LRE program being expanded to 25 states as intended? Has the $7.2 million appropriation for this program been fully obligated? If so, please provide a list of programs for which FY 1986 funding has been obligated. What plans do you foresee for continuing the LRE Program in FY 1987?

A. If funds are available it is the intention of OJJDP in FY 1986 to maintain the current level of funding for the original five members of the consortium. With this level of funding it is expected that the LRE program will be expanded to 22 states.

As of this date, no FY 1986 grants have been made to continue the five (5) LRE grants, since current funding continues until later in the year.

It is the intention of this Office to continue funding LRE through FY 1987, funds permitting.

19. Q. Please provide me with a copy of the January 1986 draft of "A Preliminary Overview of Child Safety in America," prepared for the President's Child Safety Partnership.

A. Attachment 2.

20. Q. Your prepared testimony indicates that 20 states have enacted legislation regarding separation of juvenile from adult offenders in jails. Which states are included in this total?

A. My testimony stated that 20 states have enacted legislation in support of the jail removal mandate. A report compiled by the State Relations and Assistance Division, Office of Juvenile Justice and Delinquency Prevention, and provided as Attachment 3, identifies the 20 states.

21. Q. Several new juvenile justice programs began in early FY 1986, including the National Center for the Prosecution of Child Abuse and the Private Sector Probation Program. To what extent is OJJDP funding these programs? What is the current funding situation of these programs under the freeze?

A. On November 21, 1985 OJJDP awarded a cooperative agreement, in the amount of $645,871, to the American Prosecutor's Research Institute of the National District Attorney's Association to support their National Center for the Prosecution of Child Abuse. The only other funding support the National Center receives is a grant from Health and Human Services in the amount of $108,706.

A contract to support technical assistance, training and small development subcontracts for the privatization of part or all of a jurisdiction's probation services was awarded on December 27, 1985. OJJDP is providing all the funds for this effort. Subcontracted funds of up to $50,000 will be awarded to selected jurisdictions and will be used to support administrative costs and not direct services. This contract was fully funded for its initial 18 month period and is therefore not affected by the freeze.

22. Q. On December 19, 1985, Senate Resolution 278, which I introduced on the previous day, passed the Senate by unanimous consent. The resolution expressed the Senate's disapproval of the "informal freeze, in the absence of a formal rescission

request, on funds of the Office of Juvenile Justice and Delinquency Prevention." In light of the Senate's action and the unanimous sense of the Senate, why did OJJDP, the Justice Department, and OMB continue to maintain the freeze on OJJDP funds prior to submission of a formal rescission request to Congress.

A. The Apportionment and Reapportionment Schedule together with the Proposed Rescision of Budget Authority forms were personally picked up from OMB on 1/7/86. The Apportionment document is the legal authority for an agency to obligate funds. Each agency is required to submit a draft apportionment document to OMB within ten calendar days of the President's signature on an Appropriation Act. The agency estimates by quarter how the funds will be needed. If OMB agrees with the estimates the document is signed and returned to the agency. If OMB believes the agency has over-estimated its needs in early quarters or if the Administration is proposing a deferral or rescission of any funds, OMB notifies the agency that the apportionment document is being changed. This is what occurred in this case.

The Proposed Rescission of Budget Authority form provides the justification for the amount withheld pending rescission (line 9 of the apportionment schedule). This form is also submitted as part of the President's special message on rescissions and deferrals which was submitted to Congress on February 5, 1986.

23. Q. You explained the freeze on funds, prior to submission of a formal rescission request to Congress, to a grantee in a letter of February 3, 1986, as follows: "Therefore, it was not possible to award any formula grants because the formula grant funds were included in the unobligated balance not available for awards." The letter discussed OMB action regarding the freeze on OJJDP funds. How was your action, prior to the formal rescission request, consistent with the Impoundment Control Act of 1974? Why did OJJDP cite the Anti-deficiency Act as justification for the freeze?

A. As explained in Answer 22, the Apportionment document is the legal authority for an agency to obligate funds. OMB changed the Apportionment document to reflect a proposed rescission of all Juvenile Justice formula and the majority of the discretionary funds. Therefore, based on the approved apportionment document, OJJDP was able to award only a few discretionary awards. Had we processed any further awards, we would be in violation of the Anti-Deficiency Act which prohibits expenditure of funds in excess of approved apportionment documents. There was no inconsistency with the Impoundment Control Act in not spending funds during the brief time the rescission was prepared and then transmitted to Congress.

24. Q. OJJDP staff began notifying grant recipients on December 13, 1985, that their funds were frozen. Please provide a detailed chronology of all communications between your office, Main Justice, and OMB during the past 2 1/2 months regarding the freeze on juvenile justice funds.

A. The Office of Juvenile Justice and Delinquency Prevention does not communicate with Main Justice and OMB on budget matters. All information we receive comes from the Office of Justice Programs. The Budget Division of the Office of Justice Programs was notified verbally by the DOJ Budget staff of the proposed rescission of funds on December 13, 1986. The OJP Budget staff picked up a copy of the apportionment document from OMB on January 7, 1986. The formal rescission was submitted as part of the President's special message on rescissions and deferrals to Congress on February 5, 1986.

25. Q. The Administration stated the following regarding the proposed rescission of OJJDP funds: "In order to meet the goals of the Balanced Budget and Emergency Deficit Control Act of 1985 for 1987, it is necessary to rescind obligation authority in 1986 for programs which have a significant impact on outlays in 1987." How does the $70 million juvenile justice program have a "significant impact" on outlays in a $900 billion federal budget?

A. By itself the rescission of OJJDP's $70 million has little impact on the budget. The proposed cuts, however, are part of a plan which includes many such cuts that are intended to reduce the 1987 deficit by $38 billion. This Administration is simply assessing priorities and making the cuts mandated by the people with the election and reelection of the President.

26. Q. The Administration stated the following regarding the proposed rescission of OJJDP funds: "The first program being proposed for rescission, juvenile justice grants, has already accomplished its major program objectives, as established by the authorizing legislation—i.e., separation of adult from juvenile offenders and deinstitutionalization of status offenders." What information was used to reach this conclusion? What is your explanation for the inconsistency of this statement and information provided by independent agencies and extensive testimony presented at Congressional hearings, including those before the Senate Juvenile Justice Subcommittee, which I chair?

A. We can all surmise that the variances in statements presented before the subcommittee which you chair is based upon the fact that OJJDP determines accomplishments and compliance based upon established Congressional direction and statutory language while others may use another standard.

27. Q. The Administration stated that "termination of OJJDP will have a negligible impact on the Federal Criminal Justice program." What is your rationale for this statement?

A. The work of OJJDP only affects the states' program, not the Federal program.

28. Q. On December 16,1985, all of the Members of the Juvenile Justice Subcommittee wrote to you regarding programs under the Missing Children's Assistance Act of 1984. Your response of January 9, 1986, outlined various programs which were implemented in FY 1985 and were expected to be implemented in Fy 1986. During FY 1985 you obligated only $197,428 out of a total appropriation of $4 million. What is the status of the remaining funds appropriated for FY 1985? What is the delay in obligation and expenditure of these funds? What is the timetable, in detail, for obligation of carry-over FY 1985 and FY 1986 funds? What will be the source of OJJDP funding in FY 1986 for the National Center for Missing and Exploited Children? What is the total amount of funding the National Center will receive in FY 1986 from OJJDP?

A. All $4 million of FY 84 funds have been spent or set aside to fund those 7 program areas outlined in my January 2 letter to you.

There is no delay in obligation and expenditure of Missing Children's program funds. Development time for new programs includes the National Incidence Study, with one pilot study building upon another. While we have funded the initial pilot study with Northwestern University, we will use results and techniques in designing this study on other studies we do preparatory for the National Incidence Study.

The time table for expenditure of FY 85 funds remains as outlined to you in my January 2 letter. 1986 money will be spent as follows:
- To fund the National Center for Missing and Exploited Children.
- To fund the National Incidence Study once the pilot studies are completed.
- To fund the second phase of assistance to private voluntary organizations (See number 7 in my letter of January 2 to you.)

The source of OJJDP funding in FY 86 for the National Center for Missing and Exploited Children is the $4 million appropriated for missing children's programs.

The total amount of funding the National Center will receive in FY 86 is still under negotiation between the Center and OJJDP. As stated in my January 2 letter to you, on November 13, 1985 a supplemental award for $1,163,560 was made to the Center.

29. Q. Please provide a full accounting for the use of funds by each specific project you outlined in your January 9, 1986, letter regarding the Missing Children's Assistance Act.

A. Plans for expenditure of funds for projects outlined in my January 2 letter to you is as follows:
- National Incidence Study-$93,000 has been paid to Northwestern University for the first of the pilot studies.
- National Study of Law Enforcement Agencies Policies and Practices-the office is currently in negotiation with the applicant who won this competition, and we anticipate an award being made by April 30.
- Assistance to Glynco-these monies were transferred in the amount of $30,000 last year.

- Research–we anticipate RFP's for publication on these two topics in the near future.
- Training Program for Practitioners–we are still negotiating with the grantee on this program.
- Assistance to State Clearinghouses–we are reviewing the NCMEC application for this $550,000 prior to placing it in process.
- Assistance to Private Voluntary Organizations–we are awaiting an application from INPOM to supplement their technical assistance grant. An award of $383,208 was made earlier this year. The supplement will be in the amount of $625,000.

30. Q. The FY 1986 Appropriations Conference Report language directs you to submit to Congress quarterly reports outlining obligations and expenditures for the previous and forthcoming quarters by OJJDP. Why have you failed to provide Congress with quarterly reports due on January 1, 1986, and March 1, 1986? When will these reports be provided to Congress? Will the third quarterly report due on June 1, 1986, be provided to Congress in a timely manner?

A. The quarterly report outlining obligations and expenditures for the period ending December 31, 1985 was sent on January 31 to the Assistant Attorney General for Administration for forwarding to the appropriate Congressional Committees. The next reports are due on April 1, not March 1, for the period ending March 31, 1986 and July 1, not June 1, for the period ending June 30, 1986. We expect that these reports will be submitted in a timely manner.

A PRELIMINARY OVERVIEW
OF
CHILD SAFETY IN AMERICA

Prepared for the

PRESIDENT'S CHILD SAFETY PARTNERSHIP

Office for Victims of Crime

Office of Justice Programs

U.S. Department of Justice

January 1986

INTRODUCTION

> "There is no more fundamental test of a society than how it treats its children. Children are not only a joy to the parents who raise them, they also represent a society's future. It is imperative for American society to protect its children and nurture them."
>
> President Ronald Reagan, 1985

The 64 million children of America are our great and precious resource. The United States has the power and the wealth to provide for all of its children, to protect them from harm and to prevent much of their suffering. Yet, there are millions of children in this country who are criminally abused, neglected, exploited, and victimized in countless ways. This report provides an overview of what we know and don't know about the nature and extent of child victimization, the current response to this American tragedy, and alternatives for future action.

There are many forms of victimization: child abuse and neglect; sexual molestation and exploitation; stranger and parental abduction; runaways; and victims of substance abuse, theft, assault, robbery, and murder.

Child victimization effects children of any age and gender. Victimization has no boundaries, it occurs in urban, suburban, and rural areas, in all racial and ethnic groups and in families with a wide range of income.

Our understanding and our response to child victimization is further complicated because several forms often occur together. For example, Jan, a fourteen-year-old female was physically abused at home, ran away, and fell into prostitution and pornography as a means for survival. This example illustrates the danger in compartmentalizing child victimization. By focusing on each problem individually, we fail to gain a total picture of why child victimization occurs and how we can prevent it.

Despite these difficulties, we have begun to increase our knowledge about the nature and extent of child victimization. We can also state with certainty that the short and long term effects for children and society are enormous.

Review of the Facts

- An estimated 1.5 million abused/neglected children were reported to authorities in 1983. In addition, the National Center for Child Abuse and Neglect estimates that community professionals make official reports on only 21% of cases known to them. (2) Reported cases of abuse and neglect increased 8% between 1982 and 1983, and 142% between 1976 and 1983. (3)

- During 1983, approximately nine percent of the reported cases of child abuse/neglect were categorized as sexual abuse. (1) Extrapolating from this figure we estimate that as many as 135,000 children were reported as having been sexually mistreated by their parents or guardians in 1983. Further, retrospective studies of various adult populations have found that from twelve to 38 percent of women and three to 15 percent of men were sexually abused before reaching age 18. (4)

- The number of children sexually molested or exploited, for example, through pornography, prostitution, and child trafficking for sexual purposes is unknown. A survey of San Francisco women found that 31% had been sexually molested before age 18, mostly by acquaintances or friends. (16) Such statistics are said by experts to "reflect only the tip of the iceberg". (15)

- The Department of Health and Human Services estimates that there are more than one million runaway and homeless youth between the ages of 10-17. (29) This Department estimates that 36 percent of runaways leave home to escape physical or sexual abuse, 44 percent because of other severe long-term problems, and 20 percent due to temporary and less severe crises. (32)

- The number of missing children in this country is a controversial issue. The majority of abducted children are taken by a noncustodial parent or family member without permission from the custodial parent. Abductions by strangers or non-family members account for a relatively small percentage of the children reported missing each year. Estimates of stranger abduction range from a few hundred to several thousand. (39)

- Based on their comprehensive study, The National Institute for Education reported that each month in 1976, 282,000 students were physically attacked; 112,000 were robbed by force, weapons, or threat; and 2,400,000 students' personal property was stolen in America's secondary schools. (49) Recent research suggests that these statistics are still valid if not understated. (51) In 1983, a study conducted in Boston reported that four out of every ten high school students surveyed indicated they had been the victims of robbery, assault, or larceny during that year. (52)

- At least one in 18 high school seniors smokes marijuana on a daily basis; and the percent of seniors reporting that they used cocaine doubled between 1975 and 1984. Further, about two-thirds of all American young people (63 percent) experiment with an illicit drug before they finish high school and forty percent have used drugs other than marijuana. (40) The Attorney General has observed that cocaine use "has jumped through the roof; use of dangerous drugs has increased recently; and illegal trafficking in prescription drugs is also on the rise". (41)

- Based on the National Crime Survey (limited to persons over age 12), the Bureau of Justice Statistics reports that 4.83 percent of children ages 12-5 and 6.51 percent of children ages 16-19 were victims of rape, robbery and assault during 1982. These rates are higher than for any other age groups. (13) Every 19 seconds a teenager becomes a victim of crime. Further, the 1984 Uniform Crime Reports for the United States indicate that 2,060 children between the ages of 0-18, were victims of homicides. This represents 12.3 percent of the murders committed during the year. (14)

While it may appear that we have a definitive picture of the problem of child victimization, the statistics are incomplete. The number of children affected by violent crime is difficult to estimate because no comprehensive national study has been conducted. The extent of sexual molestation and exploitation is difficult to determine because of the secretive nature of the activity. Further, national data about runaways, stranger and parental abductions are contaminated by duplicated counts, differences in definitions and methods of data collection. Likewise, the extent of drug use by young people is largely dependent on self-reports. Despite their flaws, these estimates clearly indicate the serious threat of victimization for our nation's children.

In the sections that follow, the forms of child victimization will be discussed in detail; an overview of the federal state, and local response will be provided; and possibilities for future research and public and private program development will be reviewed.

FORMS OF CHILD VICTIMIZATION

This section defines and describes in detail the forms of child victimization — child physical abuse, sexual abuse and neglect; sexual exploitation and molestation; runaway and homeless youth; parental and stranger abduction; drug abuse; and the theft, robbery, assault, and murder of children.

CHILD PHYSICAL ABUSE, SEXUAL ABUSE AND NEGLECT

On January 19, 1985, Sheila, age 4, was admitted to the hospital. She had been beaten so badly that she had permanent brain damage. This incident was not the first. It was one of three known to professionals during the last two years, each one resulting in more serious injuries. As a result of the abuse, Sheila is in the custody of the state and will never lead a normal life.

Definition

The term "child abuse/neglect" has been used to describe abuse and neglect within the family. Abuse outside the family has fallen under "molestation" or "exploitation" and subject to general criminal statutes.

There are three major forms of intrafamilial child abuse: physical abuse, sexual abuse, and emotional abuse. Each is defined by state statutes which delineate a range of behaviors as child abuse. Physical abuse is typically defined as the nonaccidental injury of a child caused by the child's parents or caretakers. Sexual abuse is defined as contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the perpetrator or another person. Thus sexual abuse encompasses incest--which refers to sexual relations between two family members whose marriage would be prohibited by law or custom. Sexual abuse may also be committed by a person under the age of 18 when that person is either significantly older than the victim or in a position of power or control over the child. Emotional abuse can be defined as verbal and emotional assaults; habitual patterns of scapegoating, belittling, or the overly hostile rejecting behavior of an adult which has a negative effect on the child.

Neglect includes the failure of a parent or guardian to provide for the child's basic needs and proper level of care with respect to food, clothing, shelter, medical attention, education or supervision.

Extent

How many children are abused and neglected in this country? Reliable statistics are unavailable; most cases never come to the attention of authorities. An estimated 1.5 million abused/neglected children were reported to authorities in 1983. The rate of reporting is estimated at 23.6 children per 1,000 children. (1)

The National Center for Child Abuse and Neglect acknowledges that "official reports of child abuse and neglect represent a relatively small proportion of all child abuse and neglect". This statement is based on a 1979-80 National Incidence Study which found that community professionals made official reports to the local child protective service agencies on only 21% of the child abuse and neglect cases they observed.(2)

Almost fifty percent of abuse and neglect reports were substantiated as abuse and/or neglect. Based on the National Study on Child Neglect and Abuse Reporting for 1983, it is estimated that 58% of reported cases are neglect, 27% are physical abuse, 10% are emotional abuse, 9% are sexual abuse and 8% are other abuses. (3) (Because some children experience more than one form of abuse, these classifications total more than 100%.) Reported abuse and neglect cases increased 8% between 1982 and 1983, and 142% between 1976 and 1983. (3)

Several retrospective local surveys of adults have found that between 12% and 38% of women and 3% to 15% of men were sexually abused through age 18. (4) In 1981, 185,200 dependency/neglect cases were handled by juvenile courts across the U.S. This number represents a rate of 2.9 cases per 1,000 children under the age of 18. Between 1980 and 1981, this rate increased from 2.3. (5)

Nature

What are the characteristics of abused and neglected children and their families? Based on reported cases, we know that male and female children are equally vulnerable (48.9% vs. 51.1% respectively). The majority (67.5%) of abused/neglected children are white, 19.7% are black, 9.9% are hispanic, and 2.9% are of other races. The abused/neglected child's average age is 7.1 years. (3)

The vast majority, 84%, of the reported cases of abuse/neglect occurs between biological parent and child. There are some differences with sexual abuse, however. Step, adoptive, and foster parents are five times more likely to be involved in sexual abuse than they are with other forms of abuse. Nevertheless, the majority of reported sexual abuse cases are perpetrated by biological or other parents (59% biological parents, 31% step, adoptive and foster parents.)(1)

The National Clearinghouse on Child Abuse and Neglect reports that a majority of abused and neglected children live in female-headed families. Families receiving public assistance produce about four times as many abused and neglected children as other families. (5) Stress factors which are evident most often in reported cases are related to health (50.2%), economic (41.2%), family interaction (78.2%), alcohol/drug dependency (21%), and spouse abuse (11.2%) factors. (6)

However, there is some recent evidence which indicates that the classic stereotype of the child physical abuser as a depressed mother may no longer be true. A Seattle study, in which a group of children physically abused in the early 1970s was compared with another group physically abused in the early 1980s, found that in the earlier period, 37% of the abusers were men versus 80% in the later period. Thus men, especially the live-in male companions of single women, were found to be seriously abusing children more frequently today than 10 years ago. The research team concluded that single women are keeping babies instead of giving them up for adoption, and they have to leave them with people who are incapable of caring for them. (7)

While data available on child fatalities related to abuse/neglect are available from only 24 jurisdictions, information from these cases is informative. Deprivation of necessities (neglect) accounts for 51% of the fatalities, followed by major physical injury (41%) and minor physical injury (24%). (1)

Causes

Why does child abuse/neglect occur? There are many causes; among them are: psychological problems of the parents, the use of violence as a learned response to stress, environmental stress and situational life factors, and lack of understanding of child development and child rearing skills. (8) Most experts agree that there are multiple forces that can affect the family, reinforce one another and lead to abuse and neglect. (9) For example, personal characteristics of parents (such as untimely childbearing, physical illness, alcoholism and emotional immaturity) and problematic children (for example, constant crying and unresponsiveness) can substantially increase the likelihood of child abuse/neglect, particularly when the family also experiences social stress and social isolation. Although many abusive parents exhibit barely adequate personality characteristics, few have severe disorders. (10)

Finally, when we examine the causes of incest, we find a great deal of controversy. In her analysis of all the contributing factors discussed in the literature, Mrazek identified only two she considers most frequently predictive of sexual abuse: 1) the absence of a strong, satisfying marital bond and 2) a history of incestuous behavior in the parents' families of origin. (11)

Effects

What are the consequences of child abuse and neglect? Specific acts may result in acute and chronic medical problems which may impair the child's growth and development. Even if there are no overt acts of abuse/neglect, growing up in a family at high risk for abuse or neglect may be emotionally and intellectually damaging to children.

Maltreated children are more likely to be: involved in delinquent behavior; exhibit psychiatric disorders; fail school; display self-destructive behavior; engage in domestic violence; and experience sexual dysfunction. Further, a history of childhood sexual victimization is frequently found in studies of incarcerated pedophiles, rapists, and murders. (12) Women who have been sexually victimized as children appear to be at higher risk for depression and self-destructive behavior and adult sexual dysfunction. (13) The specific effects on the child depend on the nature, age of onset, and duration of the abuse/neglect. (10) While there is a need for long-term research to more substantively identify the effects of child abuse and neglect, it is clear that there is an association between abuse/neglect and other forms of child victimization and later aberrant behavior as an adult.

Issues

- Not all reports of child abuse are referred to law enforcement.
- The legal system does not ordinarily treat assaults in the family as seriously as the same assault between strangers.
- The child protective system is often not responsive to child abuse/neglect reports.
- Many segments of the population are unaware that beating one's child is a crime.
- Victimized children do not receive the protection and special considerations that juvenile offenders receive.
- Available statistics are too imprecise to answer such key questions as who is most at risk and how resources can be allocated most effective by.
- Knowledge of the long-term effects of abuse/neglect—especially sexual abuse of children--remains a patchwork of data and speculation.

SEXUAL EXPLOITATION AND MOLESTATION

Sixteen-year-old Julie was a child prostitute, was swapped by a pedophile, and photographed for child porn. Julie had fallen into exploitation after running away from home to escape sexual abuse by her stepfather. No sooner had she run away, than she was picked up at the bus station by a pimp and pornographer who offered to help her find a job.

Definition

Julie's case illustrates the interrelationship among the forms of victimization. Children who are sexually victimized are often subjected to many forms of sexual activity. Exploitation of children refers to pornography, prostitution, and trafficking for sexual purposes. "Child pornography, also known as 'kiddie porn,' is defined as films, photographs, magazines, and books which depict children in sexually explicit acts, both heterosexual and homosexual." (14) Unlike sexual abuse, these forms of sexual victimization perpetrated by someone outside the family, usually a friend or acquaintance.

Extent

How many children are sexually molested and/or exploited? The federal government does not gather national data on sexual molestation outside the home. Thus, what little data we have in this area comes from studies of individual locales.

As the Honorable Lois Haight Herrington, Assistant Attorney General has stated "There is so much we do not know. The statistics on child molestation reflect only the tip of the iceberg. The crime is often not discovered or reported, let alone adequately investigated, prosecuted and sentenced". (15)

Russell's San Francisco survey found that 31% of her random sample of women had been sexually molested before age 18. Ninety-six percent of the perpetrators were males. Fifteen percent of the perpetrators were strangers to their victims; 42% were acquaintances; and 41% were more intimately related (friends, dates, boyfriends, lovers). (16) Finkelhor's study of college students revealed that 24% of the perpetrators were total strangers; and 60% were acquaintances. (17)

The National Crime Survey estimates that 13% of youth age 12-15 and 19% of youth age 16-19 were raped during 1982. (18) A recent nationwide survey of 2,627 adults, chosen randomly, found that 27% of women and 16% of the men reported they had been molested as children. (19)

Nature

What are the characteristics of sexually victimized children and their offenders? According to the above (19) national survey of child sexual molestation, the most vulnerable age was 10, while molesters were approximately 20 years older than their victims. Fifty-five percent of reported molestations involved sexual intercourse, 36 percent fondling, 7 percent exhibitionism and 1 percent sodomy. Forty-one percent of the victims were molested by an acquaintance or friend, 27 percent by a stranger, and 23 percent by a relative. Half said their molester was someone in authority over them. Eighteen percent of the molestations involved the use of force. Most abuses occurred only once; however, 39% of the victims of intercourse reported multiple incidents. One in three victims had never told anyone about the molestation until the survey. Forty-two percent told someone within a year of the assault. Only 3% of victims reported the incident to the police or another public agency; most told a parent, other relative or friend. (19)

Similar national data about sexual exploitation is not available. The U.S. General Accounting Office conducted a study of teenage prostitution and pornography in 1980-81. Its study included an extensive literature search and a survey of all 50 states, and the police departments and mayor's offices in the 22 largest U.S. cities. The GAO concluded that: (1) the extent of teenage prostitution and pornography remains uncertain; (2) teenage prostitution had increased during the prior 5 years; and (3) it could not determine whether child pornography had increased or decreased during the prior 5 years. (20)

A recent exploratory research project on child pornography and sex rings gathered significant data from 55 sex rings. (21) Based on an analysis of the first 40 cases, the majority of victims were male children and ranged in age from infants to age 17. Approximately half of the offenders used their occupation to gain access to child victims. The offenders in this category included teachers (nursery school, grammar, and junior high levels), a city health physician, an engineer, a school bus driver, a camp counselor, a photographer, a gas station owner, and scout leaders. Although the number of victims actively involved in a ring at a specific time ranged from 3 to 11, cases involving hundreds of children could be reported if the number of victims were counted consecutively over the life of the sex ring. (22)

Causes

Why do offenders sexually molest and exploit children? Most theories regarding why victimization occurs are based on clinical experience with incarcerated offenders. Four dynamics are typically cited: offenders obtain powerful, developmentally induced emotional gratification from the acts; offenders have deviant psychological sexual arousal patterns; offenders are unable to meet their sexual needs in more conventional ways; and offenders lack behavioral controls. Although often presented as competing theories, several of these dynamics may be present in one offender. (23)

Having been abused as children is a major factor among pedophiles. The majority of adult sexual offenders of children, conservatively estimated at 80%, were sexually abused as children.(24,48) There are other reasons for sexual exploitation. Chief among those is profit. Production of child pornography has flourished and is now a multimillion dollar, international business. (25) Besides money, there is the value of trading pornographic materials. Molesters who use photography or videotape to record their sexual activity with children can trade with other child pornographers and with producers of commercial child pornography. (26)

Family conditions and circumstances also contribute to sexual exploitation. From 31 to 66% of female and 10 to 29% of male teenage prostitutes are sexually abused by family members. More generally, 70 to 75% of both male and female teenage prostitutes come from homes where relationships with adults are characterized by neglect, alcoholism, abuse and hostility. (27)

Effects

How does sexual molestation and exploitation affect its victims? Clinicians have noted many symptoms in children who have been sexually victimized. These include fear, compulsivity, hyperactivity, phobias, withdrawal, guilt, depression, mood swings, suicidal ideation, fatigue, loss of appetite, somatic complaints, changes in sleeping and eating patterns, hostility, mistrust, sexual acting out, compulsive masturbation, and school problems. (23) One evaluation of 113 sexually victimized children documented aggression, anti-social behavior, fear, immaturity, neurotic behavior, and excessive sexual behavior. (28) Fearfulness, anger, and hostility are the most common observations in other such studies. (23) The long-term impact of sexual molestation and exploitation has been the subject of more thorough research. Although the exact relationship is unclear, we know that there is a linkage between sexual molestation and exploitation and subsequent delinquency and crime, and later molestation of others as adults. Seven surveys of sexually abused women in the general population have all found significant identifiable mental health impairment in victims compared to non-victims in the same samples. (23) Studies which have compared sexual abuse/molestation victims to other help-seekers in various clinical populations have also found sexual victims to be more impaired on a number of dimensions: social and emotional isolation; lower self-esteem; fear of men; anxiety attacks; sleeping difficulties; nightmares; substance abuse; suicidal ideation; and self-mutilation. Additional research suggests associations between sexual abuse/molestation and prostitution, multiple personality disorder, and eating disorders. (23)

Issues

- National data are not collected on the incidence of sexual molestation and exploitation.
- Available data and research results often do not treat (intrafamilial) sexual abuse and (extrafamilial) sexual molestation separately. Thus development of precise information on sexual molestation is extremely difficult.
- The proportion of sexual molesters and exploiters cannot be separated from other sex offenders in the FBI Uniform Crime Report data.
- Because the causes are so complex, mental professionals have not yet found a proven successful treatment for pedophilia. Nevertheless, the sentence generally given to child molesters is out-of-custody therapy.
- A distinction needs to be made between child molesters and pedophiles. A child molester may or may not be a pedophile. Yet the distinction is important for treatment.

RUNAWAY AND HOMELESS YOUTH

David was sexually abused by his father and grandfather. He began running away when he was 14. David eventually ran for good, turning to prostitution in order to survive on the streets.

Definition

The youth described above typifies the Department of Health and Human Services' (DHHS) definition of a runaway youth, "a person under 18 years of age who absent himself or herself from home or place of legal residence without the permission of parents or legal guardians." (29) Additionally, DHSS defines a homeless youth as "a person under 18 years of age who is in need of services and without a place of shelter where he or she receives supervision and care." (29)

Extent

How many runaway and homeless youth are there in America today? The Department of Health and Human Services estimates that the number of runaway youth between the ages of 10 and 17 is more than one million. (29) This figure is based on the National Statistical Survey of Runaway Youth (1975) and updated, based on estimates of experts in the field of youth services. However, experts indicate that most runaways return home within a few days and are counted repeatedly if they run away more than once a year. (30)

The Department of Health and Human Services reported that a total of 305,500 youth received residential or walk-in services from DHHS funded centers for runaway and homeless youth during 1984. Approximately 54% of the estimated 60,500 youth who received residential services were reunited with their families in 1984. Further, in 1984 approximately 250,000 runaway and homeless youth and their families received referral and crisis intervention services from the DHHS funded National Runaway Switchboard.(29)

Nature

Who are these runaway and homeless youth? The National Network on Runaway and Homeless Youth Services reports that such youths are typically between the ages of 12-18. (31) They represent all racial, ethnic and socioeconomic groups and they live in urban, suburban, and rural communities. (31) Specifically, the Department of Health and Human Services estimates that of the 60,500 receiving residential services in 1984, 58.7% were female and 41.3% were male, 45.2% were aged 15 or 16 and 60% of the youth were white. (29) In addition, the 1975 National Statistical Survey on Runaway Youth (the only comprehensive national survey on runaways) reported that 15-17-year olds accounted for 80% of runaways; more than 53.2% of runaways were males; and single-parent households experienced almost twice the incidence of runaways as did two-parent households. (32)

Causes

Why do these youth run away? Jay Howell, Executive Director of the National Center for Missing and Exploited Children, estimates that perhaps two-thirds of the one million or more children missing for some period of time each year have voluntarily left home. (18) Experts in youth services agree that the vast majority of these young people are running away from something rather than running to something. These youth face multiple and complex problems both within and outside the home. The Department of Health and Human Services reports that although youth sought assistance from runaway and homeless youth centers during 1984 due to a wide range of problems, the primary reasons included family-specific problems, such as poor communication with parents (55%), parental strictness (30.2%) and emotional neglect (16%).(29) DHHS also indicates that 27% of the youth experienced a poor self-image. (29) In addition, the Inspector General of DHHS' 1983 survey of the Department's Runaway and Homeless Youth Program estimated that 36% of runaways leave home to escape physical or sexual abuse, 44% leave because of other severe long-term problems, and 20% due to temporary and less severe crises. (32)

The National Network of Runaway and Homeless Youth states that the most underreported reason for running away and homelessness is physical and sexual abuse by their parents or caretakers. (31) Further, the U.S. House of Representatives Select Committee on Children, Youth, and Families reports "Increases in child abuse and for some, drastically reduced family incomes, are causing more youth, unable to find solutions, to run away from home." (32) Finally, the New Orleans Mayor's Task Force on Human Services estimated in its Comprehensive Needs Assessment of March 1980, that 50% of the 5-8,000 runaways that pass through New Orleans annually "... are 'pushout' or 'throwaway' youth from families who cannot care for them or do not want them." (34)

Effects

What are the personal and social costs of running away and homelessness? Many of these unemployed, undereducated, unloved and forgotten youth become involved in selling drugs, prostitution or child pornography to survive. For youth who do not receive early or appropriate intervention, running away may become chronic and they may become involved in the child welfare or legal/judicial systems. The personal costs to these youth and their families are serious and the potential financial cost to society is significant.

Issues

- The runaway definition lacks precision and varies from one usage to another. Much imprecision stems from the length of time the child is absent from the home. Does two hours constitute running away?
- It is difficult to distinguish runaway from "throwaway" children.
- Another troublesome distinction is that between runaway and missing children.
- Precisely defining homeless youth is also troublesome, especially because of the time length factor.
- As a consequence of these problems, it is difficult to make reliable estimates.

PARENTAL ABDUCTION

Susan had not seen her two sons, now ages 13 and 14, for 10 years. Her ex-husband did not return the children after a weekend visit. Unfortunately, Susan had no information about her former husband except the kind of work he did. As a result, she has no idea where her children are. (34)

Definition

The National Center for Missing and Exploited Children (NCMEC) defines parental abduction as the kidnapping of a child by a non-custodial parent or the concealment of a child after the end of a legal visitation period. (35)

Extent

How many children are abducted by their parents each year? This question raises the larger issue of the number of missing children. Large numbers have recently been appearing in the media. However, a recent meeting (October 7, 1985) of the U.S.

Attorney General's Missing Children's Advisory Board has resulted in some clarification. The following are excerpts from a press release on that date from the Advisory Board:

> "We do not know exactly how many children are abducted, how many run away, or how many are homeless. Congress has mandated a national incidence study that will provide these numbers....
>
> Tentative estimates suggest that perhaps a million children run away from home each year; most return on their own and unscathed. But many do not return home in a short time, and many resort to drugs, theft or prostitution to survive. We also know that there are tens, if not hundreds of thousands of homeless children roaming the streets of our major cities, and that most are runaways and 'throwaways.'
>
> With regard to abducted children, most of these children are taken by a parent or family member from the legal custody of the other parent. Such parental abductions often occur during a custody battle stemming from a divorce or separation...."(36)

The U.S. Senate Subcommittee on Investigations and General Oversight conducted a survey of official police reports of missing children in 45 of the most populous cities in the U.S. The authors of the study estimate that there were at least 150,000 victims of parental abduction in 1981. (32)

Nature

Who kidnaps their own child? There is such a lack of information on the demographic characteristics of parents who abduct their children that it is not possible to summarize at this time.

Causes

Why do parents abduct their own children? Is it because they love them so much they cannot bear the separation? Is it because they can be used as pawns to negotiate during the divorce process? Is it because they can be used by a spiteful spouse to "get back" at his/her ex-mate? All three are possible reasons for abduction by a non-custodial parent. It is not uncommon for non-custodial parents to feel helpless, angry, and frustrated at seeing their children only once or twice a month. Unfortunately, sometimes their method of handling the situation is to refuse to return a child after a visitation, or to disappear, child in hand. (37)

Effects

What are the effects on the child and family? "Regardless of the intentions of the abducting parent, the child suffers the consequences of being uprooted from home, deprived of the other parent, and forced to spend life on the run." (38) Abducted children suffer the most. They may experience fears of being left alone, may not trust others, may have difficulty establishing relationships as adults, may have low self-esteem, and may experience guilt and depression. (38) On the other hand, some children can adjust to the situation with support. Obviously the abduction has negative effects on the custodial parent who may feel depressed, helpless, hostile, bitter, and despairing. Clearly the effects on family members are devastating.

Issues

- It is sometimes difficult to determine whether or not a parental abduction has occurred. The child could be missing.
- Little is known about the causes of parental abduction.
- Current data on the extent of parental abductions are not available.
- Available information provides little guidance for prevention efforts.

STRANGER ABDUCTION

The mother of a young child left her youngster at a playground while she made a short trip home to make a phone call. Upon returning a few minutes later, the child was missing. She has not since located her child.

Definition

The situation described above is clearly a case of stranger abduction which is defined by the National Center for Missing and Exploited Children as situations where a child is taken, kept or concealed by a person other than the child's parent or legal custodian. Abduction of children by less than total strangers, including such acquaintances as babysitters and friends, also falls under this definition.

Extent

Just how many children are abducted by strangers each year? When children disappear for no apparent reason it is assumed that a stranger has kidnapped them. (38) However, abductions by strangers or non-family members account for a relatively small percentage of the total number of children reported missing each year. The Attorney General's Missing Children's Advisory Board reports, "Estimates range from a few hundred children to several thousand. We believe the final figure will fall somewhere in between, but probably at the lower end of the scale."(36)

Nature

Are children possessing certain characteristics more susceptible to abduction by strangers? Available data does not indicate, thus far, specific demographic, emotional or physical characteristics of children who are abducted by strangers.

Causes

Why do strangers-kidnap children? While no substantive research has been conducted, the reasons for stranger abduction probably vary. Kenneth Lanning, special agent with the FBI's Behavioral Science Unit offers several descriptions of people who might abduct children: 1. The abductor may be emotionally disturbed. For example, a woman who has lost a baby or cannot conceive may steal a baby to fulfill a maternal void. 2. The abductor may exploit children. He or she may sell children to pornography or adoption rings. 3. The kidnapper may abduct a child to collect a ransom. 4. The abductor may steal a child for sexual purposes. 5. The abductor may kidnap children for the purpose of killing them, such as the case in Atlanta involving black youths. (39)

Effects

How does stranger abduction affect the family? The effects on the child, parents and relatives are devastating. In a recent article, *Newsweek* stated, "while these children constitute the smallest number of missing children they can be weighted at 10 times their number for the emotional havoc they leave in their wake." (39) Parents whose children are missing "experience a mixture of hope, longing and deep despair. Sometimes the parents may be victims of suspicion as well as vicious rumors. Indeed, the parents ... are often the first suspects when a child disappears. It is one of the many insults added to injury along with the whisperings of friends and total strangers about their parental competence." (39)

Children who are abducted by strangers are at great risk they may be beaten, exploited sexually or financially, and they may be killed. If they survive the abduction, they may experience life-long emotional scars.

Issues

- Informed estimates of the number of stranger abductions are not available.
- The definition of stranger abduction lacks precision since it includes acquaintances and friends of the abducted child/family.
- State statutes vary in their treatment of abduction by friends and acquaintances.
- Prevention efforts are frustrated by a lack of information on the causes.

DRUG ABUSE

Fourteen year old Robert and two of his friends were caught Smoking marijuana in school last year. Robert then experimented with other drugs and is currently using various illicit drugs four or five times a week. His grades have dropped from A's and B's to C's, D's, and F's.

Definition

Any use of illicit drugs by children and youth is illegal and can result in significant negative effects on children. Drug abuse includes the use of numerous types of illicit drugs.

Extent

How many children and youth are involved in the use of drugs? According to a 1984 survey, about two-thirds of all American youth (63%) report that they experimented with an illicit drug before finishing high school. At least one in 18 high school seniors smokes marijuana on a daily basis. Forty percent have used drugs other than marijuana. The percent of seniors reporting that they used cocaine doubled between 1975 and 1984. However, the percent of high school seniors who used marijuana, hallucinogenic drugs, and heroin in the last 12 months and in the last 30 days has declined to the 1975 level after having peaked in the late 1970's. (40)

The U.S. Attorney General has made the following observations regarding the consumption picture:

- Overall, use of marijuana was down in 1984; nonetheless, one-third of all high school seniors continue to use marijuana on a monthly basis.
- Cocaine use has jumped through the roof; it is clear that a national disaster is in the making.
- New evidence indicates that cocaine is both more addictive and more toxic than herion.
- By the end of 1985, 20% of high school students tried cocaine before graduating and 10% of suburban high school students were regular users.
- Use of "dangerous drugs"--methamphetamine, PCP, and a variety of "designer drugs"--has increased recently.
- Illegal trafficking in prescription drugs is also on the rise. These drugs account for 70% of all drug-related deaths.
- The drug trade was $90 billion industry in 1984. (42)

Nature

What are the characteristics of the youth who become involved in substance abuse? The school-aged population begins experimenting with drugs at an increasingly earlier age. For most illicit drugs, initial experimentation occurs during the final three years of high school. However, for marijuana, most initial experiences take place before high school. (12) Children are often exploited by older youths. Many are coerced into drug abuse by their older acquaintances and thereby taken advantage of. Studies of adolescent drug use conclude that students are increasingly combining additional drugs with marijuana use. From 1975 through 1983, the use of a combination of drugs grew from 36% to 44% among high school seniors. (40)

Causes

What factors contribute to the abuse of drugs among America's youth? Research suggests that a number of factors may promote and/or facilitate the initiation of substance use. (42)

Youth from families where one or more members (generally parents or older siblings) smoke, drink, or use drugs are more likely to become substance users themselves, as are individuals whose friends are substance users. In addition to these social influences, the portrayal in the popular media of substance use as something that is not merely acceptable, but is an important part of popularity, sex appeal, and good times, appears to be a subtle and powerful influence for drug use. Cognitive, attitudinal, and personality characteristics appear to affect individuals' vulnerability to substance use. (42) Psychological characteristics that have been associated with substance abuse include low self-esteem, low self-satisfaction, greater need for social approval, low social confidence, high anxiety, low assertiveness, greater impulsiveness, rebelliousness, external locus of control, and impatience to assume adult roles. Further, although causal relationships have not been established, evidence from a variety of sources indicates that there are high correlations between the use of various substances. For example, adolescents who use opiates are also likely to drink excessively and smoke cigarettes. (42)

Effects

What are the effects of youth drug abuse? The most severe consequences of drug abuse are well-known: accidental death, suicide, mental illness, and physical problems. Other less severe problems are associated with less serious drug use. Several studies document the negative relationship between school success and drug use by students. (43) In a study conducted by Brennan, drug use was associated with a variety of types of problem behaviors, delinquency, and bonding to unconventional group norms and activities. Youths with multiple illicit drug use produced the most negative scores on measures of these behaviors. (44)

Issues

- It is difficult to make a distinction between proper and abusive use of legal drugs.
- Little is known about the causal connection between drug usage, abuse, and other illegal behavior.
- Prevention of drug use and abuse through educational approaches has been problematic to the extent that such efforts teach potential users new techniques.
- The long-term effects of certain drugs are unknown.

THEFT, ROBBERY, ASSAULT, AND MURDER

Kevin, age 12, was attacked by four of his classmates while leaving the school building at the end of the day. The apparent motive was robbery, however, all that was taken was $1.25 and a pack of gum.

Definition

Theft, robbery, assault and murder are crimes defined by state laws. Homicide is defined as death due to injuries inflicted by another person with intent to injure or kill, by any means. Homicide may be further classified as either criminal or noncriminal. Noncriminal homicide includes justifiable or excusable homicides (those committed in self-defense or in the line of duty by a police officer). Assaultive violence includes non-fatal and fatal interpersonal violence where physical force by one person is used with the intent of causing harm, injury, or death to another. (45) As defined in the National Crime Survey, simple assault is an attack without a weapon resulting either in minor injury or in undetermined injury requiring less than two days of hospitalization. Simple assault also includes attempted assault without a weapon. Aggravated assault, on the other hand, includes attacks with a weapon, whether or not an injury was sustained, as well as attacks without weapons which result in serious injury or in undetermined injury requiring two or more days of hospitalization. Aggravated assault also includes attempted assault with a weapon. (18) Robbery is defined as the unlawful taking or attempted taking of property that is in the immediate possession of another, by force or threat of force. Theft or larceny is defined as the unlawful taking or attempted taking of property, other than a motor vehicle, from the possession of another, by stealth, without force and without deceit, with intent to permanently deprive the owner of the property. (46)

Extent

How many children are victims of crime? The exact number of victims is difficult to determine with the present available data. However, some statistics shed light on the extent of the problem. The 1984 Uniform Crime Reports for the United States indicate that 2,060 children between the ages of 0-18 were victims of homicides. This represents 12.3% of the murders committed during that year. (17) Based on the National Crime Survey (limited to persons over age 12), the Bureau of Justice Statistics reports that 1.08% of children ages 12-15 and 1.18% of children ages 16-19 were victims of robbery during 1982. Further, 3.87% of children ages 12-15 and 5.35% of children 16-19 were victims of assault. (18) In 1981, 128 of 1,000 children age 12-15 and 132 of 1,000 children age 16-19 were victims of theft. (46)

Children aged 12-15 have the highest victimization rate for crimes of theft for any age group; youths aged 16-19 have the highest rate in crimes of violence for any age group.(48) A significant number of crimes are committed within schools, especially the theft of personal property. Based on their comprehensive study, the National Institute for Education reported that each month in 1976, 282,000 students were physically attacked; 112,000 were robbed by the use of force, weapons, or threat; and 2,400,000 students' personal property was stolen in America's secondary schools. (49) A Massachusetts blue ribbon panel concluded in 1983, that these problems have likely worsened over time. (50) Recent research suggests that these statistics may be understated. (51) In 1983, a study conducted in Boston reported that four out of every ten high school students surveyed indicated they had been the victims of robbery, assault, or larceny during that year. (52)

Nature

What are the characteristics of crimes against children? Unfortunately, due to an absence of age-related data for crimes against children, particularly under the age of 12, little is known about the characteristics of child victims or their offenders. In addition, only one-third of all crimes are reported to the police. (46) And young victims are only half as likely as the total population to report crimes to police. (53)

We do know that the most serious incidents of crime and violence in the schools are committed by individuals from outside the schools. (51) Examination of National Crime Survey victimization data reveal that among students, aged 12-19, victimizations for personal crimes and robberies were committed in 70% of the cases by intruders; thefts with contact—82% by intruders. It also appears that gangs are disproportionately involved in robberies and assaults. (53)

Causes

Why does crime against children occur? Consideration of the perpetrators of crimes against children is a prerequisite to addressing causation. Other juveniles are the major offenders of children for the crimes of robbery, assault, and theft of cash and/or property.

Two sets of correlates of delinquent behavior have been identified which prevention efforts should take into account. The first set of correlates is "causal," and consists of family, school, and peer variables. The second set is "sociodemographic" correlates, including sex, age, and race. (54) Recently, additional attention has been paid to the biological factor as a causal variable. (55)

Psychological and neurological abnormalities have been identified as major causal factors explaining adult homicides of children.

Effects

What are the results of violence against children? Interpersonal violence negatively affects the victims, their families and society as a whole. An assault may result in only a minor physical injury, but may have a devastating impact upon the victim's life. For example, the victim may experience fear, anxiety, and restrictions in activities and movements. The attack itself or the resulting fear may cause victims to isolate themselves, change their lifestyle to one which constricts their freedom. Research indicates that children who are victims of violence suffer delays in physical, social, and emotional development. (46)

Issues

- Data on child victims of crime under 12 years of age are almost nonexistent.
- Little is known about the murderers of children.
- Young victims usually do not report their victimizations to police.
- Information is lacking on the extent to which youth gangs victimize children.

SUMMARY

As we consider what we know about the forms of victimization, we must remember that there are a number of problems with the data sources that have been used to describe this problem. Statistics frequently overlap and are often educated estimates by experts which are not conclusive. Further, the forms of child victimization are interrelated, as evidenced by the case examples presented in this section. Intrafamilial problems often contribute to the development of extrafamilial problems. For example, children physically or sexually maltreated at home may run away and be further victimized through sexual exploitation. Children who have grown up in violent homes may later be involved in violent crime during adolescence and adulthood. What we know about child victimization is that we are dealing with a very significant problem that affects all levels of society. In the sections that follow, we will review current responses to the problem and consider directions for future action.

RESPONSES TO PROBLEM

CHILD ABUSE AND NEGLECT

Federal Response

Children's welfare has been a legislative focus since 1912. However, Federal legislative attention increased significantly in 1974. (56) On January 31, 1974, Congress passed the Child Abuse Prevention and Treatment Act (P.L. 93-247) to provide Federal leadership and assistance in identifying, treating, and preventing child abuse and neglect. P.L. 93-247 established the National Center on Child Abuse and Neglect (NCCAN) and mandated four primary functions: generating knowledge and improving programs; collecting, analyzing and disseminating information; assisting states and communities in implementing child abuse programs; and coordinating Federal efforts. (57)

Between 1975 and 1984, NCCAN has funded approximately 475 projects nationwide to increase knowledge regarding the prevention, identification and treatment of child abuse and neglect. These projects involve multidisciplinary, multiservice delivery systems and address every aspect of child maltreatment. Major areas of concentration have included: prevention of child maltreatment; clinical treatment; public child protective services; prevention and treatment of child sexual abuse; adolescent maltreatment; protection of children in institutions; minority issues; developmental disabilities; mental health services; child maltreatment in military families; parental and victim self-help; child fatalities; court proceedings; screening and decision making in child protective services; prevention projects in the workplace; therapeutic family day care; parent aides and other volunteer programs; and training programs with schools. (57)

Since 1975, NCCAN has operated a Clearinghouse which serves as the primary center for acquisition and dissemination of child abuse and neglect materials. The efforts of the NCCAN Clearinghouse are complemented by those of the Military Family Resource Center, a joint venture with the Department of Defense and the Department of Health and Human Services. (57)

Supporting state efforts to prevent child abuse represents another significant aspect of NCCAN's activities. NCCAN funds state agencies to develop, strengthen, and implement child abuse and neglect prevention and treatment programs. (57)

Other Federal programs are involved in the prevention and treatment of child abuse and neglect. For example, Title XX of the Social Security Act provides funding to states for the provision of child protective services and other services such as day care which assist abusive and neglectful families. Title IV-B of the Social Security Act provides funding for preventive foster care services which are also used by maltreating and "at risk" families.

Recent federal initiatives to help victims of crime have also benefited child victims. The President's Task Force on Victims of Crime issued a report in 1983 with 68 recommendations to improve the treatment of crime victims. (60) The Justice Department has acted upon approximately 80% of the proposals. For example, the Victims of Crime Act of 1984 offers federal criminal fines and penalties to states for their victim compensation programs and victim services. Programs for victims of child abuse, sexual assault, and spouse abuse will receive priority under the law. The Department is also initiating new training projects on victim assistance for justice professionals. Notably, they urge prosecutors and judges to recognize the heinousness of child molestation and provide appropriate sanctions against perpetrators. An Office for Victims of Crime was established to implement these and other recommendations.

The Victims Task Force also called for a careful examination of family violence. Consequently, the Attorney General's Task Force on Family Violence was created. Its September 1984 report (61) declared child molestation and the abuse of children, spouses and elderly relatives to be criminal activity. Its report made 63 recommendations to encourage cooperation among the criminal justice, medical, mental health and private communities to put an end to family violence.

The National District Attorney's Association has established a National Center for the Prosecution of Child Abuse with major funding from the Department of Justice/Office of Justice Programs. This Center will assist state and local prosecutors in instituting and enhancing victim service units in their offices and enable prosecutors to more efficiently prosecute offenders who have sexually abused and exploited children.

The Department of Justice/Office of Justice Programs is sponsoring a project at the American Bar Association designed to develop model statutes for the states which address legislative recommendations developed by the President's Task Force on Victims of Crimes. In addition to the statutes, the project will also prepare an implementation guide for each of them.

For two years now, the Department of Justice/Office of Justice Programs has supported the Permanency Planning Program conducted by the National Council of Juvenile and Family Court Judges. The aim of this program is to find permanent homes for dependent and neglected children adrift in the foster care system. Statewide Task Forces are now operational in virtually every state, through which training and technical assistance are provided to juvenile and family courts. Mechanisms are set up for expedited review of foster care placements.

The primary mechanism for coordinating Federal child maltreatment activities is through the Advisory Board on Child Abuse and Neglect, established by P.L. 93-247. The Advisory Board is composed of more than 20 representatives from agencies with the Department of Health and Human Services and other Federal departments, and twelve private citizens. (57)

State Response

All states have passed civil and criminal child abuse and neglect statutes. By 1967, every state and three territories had adopted laws mandating the reporting of child abuse and neglect cases to child protective service and/or law enforcement agencies. (58) In 1977, NCCAN developed a "Model Child Protection Act" to assist states in improving their laws and practices. In 1982, NCCAN published "Child Protection: Guidelines for Policy and Program." (9) As a result of both initiatives, the number of states that have modified their laws and thus become eligible to receive funds through the NCCAN state grant program has increased from 4 in 1975 to 51 in 1984. (57)

All states provide child protection services for children aimed at protecting children and ameliorating family problems which result in child maltreatment. In addition, many other community agencies are involved in the prevention, identification, intervention and treatment of child abuse and neglect. Among these agencies are: law enforcement and judicial; private social services; mental health; health; and education, including day care and Head Start.

In the last several years, 25 states have passed legislation which establish Children's Trust Funds. The purpose of these Trust Funds is to provide a pool of money specifically available for funding child abuse and neglect prevention initiatives. Income sources include check-off donations on state tax forms; increases in fees for birth certificates, marriage licenses and divorce petitions; legislative appropriations; receipt of gifts, grants, and bequests; and income from investment of trust fund assets. As of June 1985, it was estimated that states have over $15 million in trust funds. (59)

Local Response

No one professional group or service system can effectively prevent and treat child maltreatment. Research and literature on child abuse and neglect consistently cite the importance of an interdisciplinary approach to prevention and treatment. Services most frequently used when working with maltreating families include: casework counseling; medical and psychological diagnostic services; individual, group, and family therapies; child care services; including crisis nurseries; homemaker services; parent aides; parent education; self-help groups; substitute care services; housing assistance; employment and training programs; financial counseling and assistance; health care and community health nursing services; transportation services; and legal services. (8, 60) These services are provided by both public and private agencies.

In addition to professional services, volunteers have served as an extremely effective resource for abusive and neglectful families. Senior citizens, in particular, have demonstrated an exceptional ability as parent aides to provide support to high risk families.

Volunteers have also been found to be effective advocates for dependent and neglected children. For example, the National Court Appointed Special Advocate Association provides volunteers who assist courts across the country to find permanent homes for children in foster care. These volunteer's are called CASA's (Court Appointed Special Advocates). (62)

Besides intervention services, primary prevention programs have been developed. Types of prevention programs include: support programs for new parents; education for parents; early and regular child and family screening and treatment; child care opportunities; programs for abused children and young adults; life skills training for children and young adults; self-help groups and other neighborhood supports; and family support services. (63) Finally, an increasing number of corporations have developed programs in the workplace which alleviate stress and therefore prevent child abuse and neglect. (64)

SEXUAL EXPLOITATION AND MOLESTATION

Federal Response

Prior to 1977, few Federal or state laws addressed the sexual exploitation of children. Today, the Federal government and virtually all states have enacted laws which specifically deal with the problem. (14) Legislative attention began in 1978, when Congress enacted the Protection of Children Against Sexual Exploitation Act (P.L. 95-225.) This law extended the Federal Government's authority to prosecute both the producers and distributors of child pornography and prohibited the transportation of children across state lines for the purpose of sexual exploitation. (14) Since passage of this Act, U.S. production of commercial child pornography decreased significantly. (48) The Child Protection Act of 1984 (P.L. 98-292) amended P.L. 95-225 by outlawing non-commercial distribution of child pornography. Since its enactment, 29 Federal felony convictions and 38 state convictions have been obtained. In the year before its passage, there were five state convictions and one Federal conviction. (48) One other significant legislative development occurred in 1984. Congressional amendments to the Child Abuse Prevention Act expanded its coverage to include any employee of a residential facility or any staff person providing out-of-home care. (3)

Further, in 1985, the President formed the Attorney General's Commission on Pornography in response to mounting pressure from church, community and social groups for a thorough examination of pornography-generated harm, and for establishing legal and social policy to address the actual harm occurring. Its work is scheduled to be completed in June 1986.

The Department of Justice/Office of Justice Programs provides funding to the National Crime Prevention Council for the "McGruff-Take a Bite Out of Crime Program," in which child safety has been a top priority. NCPC has developed and distributed a booklet entitled "How to Protect Children" which includes many safety tips for both children and parents on such topics as how to avoid trouble, child molestation prevention, and child abuse prevention. In addition, a public awareness campaign is contemplated which specifically addresses the issue of child molestation.

Finally, the Departments of Justice and Health and Human Services have funded research and demonstration projects to examine incidence, cause, effects, and intervention strategies for sexual molestation and assault. (65)

State Response

New child sexual abuse criminal legislation specifically defines the prohibited acts, establishes a tiered structure of offenses with graduated penalties based on the age of the victim and/or perpetrator, and protects children from abuse by family members or others in a position of authority over the child. (66) In addition, child abuse laws address sexual offenses by family members.

Prior to 1977, only two states had laws which prohibited the use of children in obscene materials or performances. Today, almost every state has enacted legislation specifically addressing sexual exploitation. (14) State laws on pornography cover the four categories of offenders—producers, coercers, distributors, and parents. State laws on child prostitution typically cover procuring, causing, encouraging, soliciting, advancing or aiding any child under the majority age (which may range from 18 to 21) for the purpose of prostitution. (14)

In addition, several of the U.S. Justice Department Law Enforcement Coordinating Committees have focused their states' attention on sexual abuse and exploitation issues. New legislation and training programs have resulted.

Local Response

The emergence of rape crisis centers in the early 1970's improved hospital treatment for rape victims and enhanced prosecutorial filing procedures. These actions have lessened the trauma to juvenile and adult rape victims. Research on rape and a survey of 31 rape crisis programs funded by the Department of Justice identified five essential elements for an effective community response to rape. They are: victim services, rape crisis centers, criminal justice and medical service response, and public education. (67)

In the area of child sexual abuse, several treatment models have been developed and implemented nationally to demonstrate and explore new methods for treating sexual abuse victims. Many of these programs provide services to intrafamilial sexual abuse victims and their families as well as extrafamilial sexual abuse victims. The program models can be categorized as follows:

- the victim advocacy model supports the belief that child sexual abuse is a crime which requires the visible societal condemnation in the form of severe legal sanctions and the active involvement of the criminal justice system;
- the improvement model uses the criminal justice system and supports multidisciplinary approaches for improving and humanizing the investigation and prosecution of child sexual abuse;

- the service modification model concentrates on modifying systems to reduce the trauma of the legal process on the child and family but supports the use of the criminal justice system as a motivator for rehabilitation;

- the independent model does not support either criminal or juvenile court involvement and provides a variety of treatment services without involvement of their communities' legal system; and

- the system alternative model does not believe in the deliberate use of the criminal or juvenile courts and maintains a treatment orientation which is aimed at the entire family. (68)

In addition to the treatment activities, we have witnessed an explosion of sexual abuse prevention activities. These activities include: dissemination of printed materials for parents to teach their children about sexual abuse; preventive education for children of all ages; and general public awareness efforts. (69)

RUNAWAY AND HOMELESS YOUTH

Federal Response

Major Federal response to the problem of runaway and homeless youth began with the passage of the Runaway Youth Act, Title III of the Juvenile Justice and Delinquency Prevention Act of 1974 (P.L. 93-415). The purpose of the Act was to provide grants to community-based agencies, located outside the law enforcement and juvenile justice systems, to develop new or support existing programs which would meet the immediate needs of runaway youth. (29) The Juvenile Justice Amendments of 1977 (P.L. 95-115) added "otherwise homeless youth" to the statute which previously referred only to runaway youth and added to the categories of eligible recipients of funds "coordinated networks" of centers providing services to runaway youth. (29)

The Juvenile Justice Amendments of 1980 (P.L. 96-509) modified the original Title III of the Act to be cited as the Runaway and Homeless Youth Act. (29) These Amendments also provided that grants be made "equitably among the states based on their populations of youth under 18 years of age" and authorized the establishment of a National Communications System. In 1984 the legislation was extended through 1988 (P.L. 98-473). (29) In addition, in 1984 the Department of Health and Human Services funded 265 centers for runaway and homeless youth; located in all 50 states, the District of Columbia, Puerto Rico, Guam, the Northern Mariana Islands, and the Virgin Islands; 28 coordinated networks of service providers; 35 discretionary grants to projects which will develop and implement innovative strategies for addressing the needs of runaway and homeless youth; and continued support to the National Communications System which consists of the National Runaway Switchboard. (29) Finally, the Department of Health and Human Services has emphasized state initiatives, and public and private participation in handling the problem of runaway and homeless youth.

State Response

Since the 1980 enactment of the Runaway and Homeless Youth Act, a number of states including New York, Florida, Texas, Oklahoma, and West Virginia, have passed their own runaway and homeless youth laws which provide additional funds to shelters. (31) Further, the Department of Health and Human Services has awarded 16 grants to expand the state role in meeting the needs of runaway and homeless youth. (29)

Local/Private Sector Response

In addition to the Federal and state funds, most local shelters are supported by local government funds as well as the local United Way, religious groups, corporations, foundations, other private sources and the shelters' own fund raising efforts. (31)

An important characteristic of runaway and homeless youth programs is the extensive use of volunteers. Volunteers work in all aspects of these programs, from outreach to fund raising, and public education to counseling. (29) Runaway and homeless youth programs are excellent examples of public/private partnerships at the Federal, state, and local levels.

PARENTAL AND STRANGER ABDUCTION

Federal Response

There are two Federal laws which address the problems of parental and stranger abduction. First, the Missing Children Act (P.L. 97-292), passed in October 1982, ensures that complete descriptions of missing children can be entered into the FBI's National

Crime Information Center (NCIC) computer even if the abductor has not been charged with a crime. (38) In 1984, the U.S. Congress went a step further by creating the National Center for Missing and Exploited Children (NCMEC) through the passage of the Missing Children's Assistance Act of 1984. The NCMEC serves as a clearinghouse for information on missing and exploited children. In addition, NCMEC provides technical assistance and advice to law enforcement agencies and parents of missing children. Further, parents of children abducted by the non-custodial parent or by strangers can use NCMEC as a conduit for displaying photographs of their child nationwide.

The Missing Children's Assistance Act also established an Advisory Board on Missing Children. It advises the Attorney General on the coordination of all federal programs related to missing children. The Advisory Board must approve and submit to the President and Congress an annual comprehensive plan for such coordination. It also advises the Administrator, Office of Juvenile Justice and Delinquency Prevention, with regard to the establishment of priorities for making grants under the Act. Members of the Advisory Board are appointed by the Attorney General.

Second, the Parental Kidnapping Prevention Act (P.L. 96-611) of 1980 has three major sections. The first requires states to enforce and not modify custody determinations made by other states. The second authorizes the Federal Parent Locator Service to use its computer to find address information on abductor parents. The third section directs the U.S. Department of Justice to apply the Federal Fugitive Felon Act to major crime interstate parental kidnapping cases. (38)

State Response

Some states have passed laws to meet the growing need for comprehensive legislation to address the problem of child victimization. (70) The majority of states have enacted criminal laws to prevent parental kidnapping and to punish abductors. In these statutes, the definition of the crime varies from state to state as does the name of the crime. Second, all 50 states, the District of Columbia, and the Virgin Islands have enacted the Uniform Child Custody Jurisdiction Act (UCCJA). For example, the UCCJA: establishes rules governing which state has jurisdiction to make or change a custody determination; makes it possible for a parent to obtain a custody determination even after the child has been abducted; allows a parent with a valid custody decree to have the decree honored and enforced wherever the child is located; limits the right of a court to conduct a custody hearing when a valid custody decree has already been made by another state; and restricts the power of the court to modify custody orders made by courts in other states. (70)

In addition, several states have enacted legislation which creates a board or commission or establishes a clearinghouse or central registry for missing and exploited children. For example, Kentucky enacted comprehensive legislation addressing the problem of missing and exploited children. One of the most important provisions of the Kentucky statute is the creation of a statewide clearinghouse on missing children. (70)

Like Kentucky, Illinois passed comprehensive legislation addressing the problem of missing children. The Illinois legislation created local, specialized units to collect and disseminate information that will assist agencies in recovering missing children, require law enforcement agencies to furnish the Department of Law Enforcement any information relating to sex crimes in their areas, and establish education and prevention programs for children. (70)

In addition, Florida, Kansas and Minnesota have established clearinghouses that allow parents to report cases of missing children to a central file. (70) These are but a few of the state statutes enacted to tackle the problem of missing and exploited children.

Local/Private Sector Response

Since the early 1980's, numerous public and private non-profit organizations have been created to respond to the problem of missing children. Although a few of the existing programs were established in the 1970's, the vast majority were implemented between 1982-1985. Some of the organizations are local efforts; others provide support services on a regional basis and still others are national and international in scope. The service provided by the organizations vary; for example: prevention-education programs; fingerprinting programs; counseling services; public awareness; crisis hotlines; information and referral services; circulation of photographs of missing children; and production of newsletters. Many of the programs do not charge for their services and are staffed by volunteers. Other programs charge a minimal membership fee. In addition to the efforts of the non-profit organizations, many businesses, corporations and advertising/media companies have joined the campaign. For example, ABC-TV's Good Morning America airs two pictures of children who were abducted by strangers or non-custodial parents every Friday morning. In addition, many grocery stores print pictures of missing children on grocery bags, and print photographs of missing children on milk cartons. Additionally, the American Gas Association places two pictures of children abducted by strangers in monthly billings of its utilities customers. Other businesses offer free fingerprinting services, etc. (71)

Many experts believe that the enormity of the response by the Federal, state and private sector has resulted from the public's fear of stranger abduction. (30)

DRUG ABUSE

Federal Response

Combatting alcohol and drug abuse is a major priority of the current Administration. In March 1981, President Reagan identified drug abuse as "one of the gravest problems facing us" and launched a vigorous program to help our society overcome the problems associated with drug abuse.(72) Its key spokesperson is the First Lady. Mrs. Nancy Reagan provides personal leadership, through numerous speaking engagements and her frequent work with the private organization, National Federation of Parents for Drug Free Youth. (43)

The Cabinet Council on Human Resources, Working Group on Drug Abuse and Health Issues in the White House provides leadership across the government with respect to drug abuse and health issues. It is responsible for overseeing the implementation of the health-related aspects of the 1982 Federal strategy for the prevention of Drug Abuse and Drug Trafficking. Federal and public/private efforts related to drug abuse by youth are extensive and cut across numerous agencies and organizations' programs.(72) The following are examples of Federal programs.

A National Partnership to Prevent Drug and Alcohol Abuse is sponsored by the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice. The goal of the Partnership is to prevent drug and alcohol problems among youth. The National Partnership consists of representatives from the media, citizens, businesses, and professional groups.

The National Institute on Drug Abuse within the Department of Health and Human Services sponsors research and dissemination activities concerning alcohol and drug abuse, treatment, and prevention. For example, it is investigating family therapy approaches to drug abuse treatment and also methods for using schools to help drug abusing youth.(72)

The Department of Education funds the Alcohol and Drug Abuse Education Program which helps schools and communities become aware of the complexity of the drug abuse problem and develops strategies to attack causes. This program, funded at $2.85 million through the Secretary's Discretionary Program of ECIA, funds five Regional Training and Resource Centers that support school level training teams composed of administrators, teachers, parents, students, and law enforcement officials in devising and applying methods to reduce drug use by students. (43)

Since 1981, Federal law has authorized state Drug Abuse, Alcohol, and Mental Health Block Grants through the Department of Health and Human Services. In 1984, $462 million was allocated for programs dealing with alcohol, drug abuse, and mental health. (43)

Finally, this Administration has increased enforcement efforts to control the supply of drugs coming into the Country. (41)

State Response

Through the use of Federal block grant funds, each state provides drug abuse-related services. Fifty percent of these funds must be earmarked for substance abuse activities. The specific nature of service activities developed and maintained at the state and local level varies from state to state.

State drug education programs are required through state legislation, state regulation, and/or state Board of Education. The majority of these programs are provided in grades K-12 in conjunction with drivers education, health, and/or science classes.

Local/Private Sector Response

A variety of public/private efforts at the national and local level are focused on educating youth about the dangers and consequences of drug abuse. These include:

- drug awareness comic books;
- Lions' War Against Drugs, sponsored by the International Association of Lions' Clubs;
- "Don't Be A Dope" campaign, sponsored by NBC; and
- The "Chemical People" Project, sponsored by the National Coalition for the Prevention of Drug and Alcohol Abuse, representing 25 organizations and 15 million members and volunteers.
- The National High School Coaches Association, the National Football League, the NFL Players' Association, the International Association of Chiefs of Police, and the Department of Justice have joined together to reach 5.5 million student athletes through a Sports Drug Awareness Program. (41)

Youth groups also frequently take on special projects to educate their peers about the problems associated with drug abuse. (82)

THEFT, ROBBERY, ASSAULT, AND MURDER

Federal Response

The Department of Justice has led the initiative to assist victims of crime. In 1982, the President's Task Force on Victims of Crime reported the treatment of crime victims was a national disgrace and proposed 68 recommendations for executive and legislative branches of government, law enforcement, prosecutors, judiciary, and parole boards; as well as hospitals, the ministry, the Bar, schools, mental health community, and the private sector. (74)

In October 1984, President Reagan signed into law the Victims of Crime Act of 1984. This legislation requires that 50% of the Crime Victims Fund be distributed to the states (based on population) to fund services for crime victims. (75) (The states' use of these funds are described below, in the "State Response" section.)

The Federal Government has also examined the subject of child victimization in the schools. The Reagan administration has undertaken a major school discipline initiative designed to reduce violence within the schools and foster excellence in education. In August 1983, President Reagan, concerned about persistent reports of a school discipline/violence program, directed the Human Resource Cabinet Council to establish a working group to examine the issue. The working group included representatives from the Department of Education, the Department of Justice and the Office of Policy Development at the White House. Proposed initiatives by the Departments of Education and Justice were announced in the working group's report of January, 1984. Among them are research, dissemination of exemplary anti-crime projects in the school, public awareness, and the establishment of a National School Safety Center which collects and disseminates data on school safety problems and their solution. (76) In addition, the Department of Justice is filing friend of the court briefs on the side of increasing the authority of teachers, principals, and other school administrators to deal with the problem of school discipline. (76)

Finally, demonstration and evaluation programs also have been funded to examine methods for reducing school crime. An example of such a program, funded by the Department of Justice, is the Safer Schools—Better Students Program. It tested procedures to enable school administrators to deal more effectively with school crime and discipline problems in 44 schools over a two-year period. The results suggest that school officials—at little or no additional cost—can significantly reduce these problems.(77)

State Response

All states have laws which address crimes against children. Yet, for most crimes, no one is apprehended. (46) This is particularly true for such less serious crimes as theft. (46) Failure to report crime within the schools has been suggested to contribute to increased disciplinary problems. (78) Once reported, however, preliminary evidence suggests that serious offenses against children are prosecuted (93% of persons arrested). Of those prosecuted, 64% are convicted while only 24% of those convicted are incarcerated. (79)

States are eligible to receive funds for assistance to victims of crime through the Crime Victims Fund (established under the Victims of Crime Act of 1984) and have developed several models for victim assistance programs. In order to receive funds, a victim assistance program must be operated by a public or nonprofit agency, provide services to victims of crime and demonstrate the following: a record of providing effective services to victims of crime; availability of financial support from sources other than the Fund; use volunteers in service provision; promote coordinated public and private efforts to aid crime victims; and assist potential recipients in seeking crime victim compensation benefits. (75)

Local/Private Sector Response

It is estimated that between 5 and 10 million individuals serve as volunteers with the justice and law enforcement systems. (80) The exact number of volunteers who are involved in child related activities is unknown. Neighborhood watch programs alone include several million citizens who are involved in more than 30,000 "watches". (81) An innovative effort sponsored by the National Crime Prevention Council has encouraged young people to become involved in crime prevention. (82) Examples of programs are "Crime Prevention Clubs" which provide crime prevention training for children and local police departments. The local police and youth groups together educate children about crime reporting techniques and how to develop neighborhood watch groups. Further, girl scout and boy scout troops have demonstrated leadership in the development of crime prevention activities.(82)

FUTURE DIRECTIONS

To determine future directions in preventing child victimization, we must first examine the deficiencies in our knowledge and our response to the problem. First, there are significant gaps in what we know about the extent of victimization. We must carefully examine estimates on the extent of child victimization by reviewing current data collection efforts, such as the second National Incidence Study on Child Abuse and Neglect, the National Study on Child Neglect and Abuse Reporting, the National Crime Survey, and the Uniform Crime Reports. We also need to examine the gaps in data collection, and overlap of such efforts in order to identify future information needs which will provide a clearer picture of the extent of the problem.

Second, we must investigate further the factors contributing to specific forms of child victimization. We know, for example, that such intrafamilial problems as child abuse often contribute to the development of such extrafamilial problem as drug abuse and child prostitution and pornography. We need to gain a better understanding how these complex problems are interrelated. The more we understand about the nature of child victimization, the more informed and effective our prevention and treatment efforts will be.

Third, we must complete a comprehensive examination of our response to child victimization by reviewing and analyzing exemplary programs. Much is being done to protect children, yet little information is available resulting from critical evaluation of these approaches.

Fourth, we must identify gaps in prevention and treatment programs and examine strategies to promote creative public/private partnerships. In 1984, citizens, corporations, and foundations gave $74.25 billion dollars to philanthropic causes. This represents an 11% increase over the 1983 figures for donations.(83) Work needs to be done at the national, state, and local levels to advocate allocation of a significant portion of these funds to research, prevention, intervention and treatment efforts for the benefit of children and families.

Finally, we must develop and use mechanisms for collaboration among the numerous public and private organizations concerned with child safety in America. While there are sufficient differences in the nature of specific types of child victimization to warrant specialization, it is also important to guard against excessive compartmentalization which often results in duplication of efforts.

In summary, child victimization affects us all. Therefore, it is everyone's responsibility to move forward with our commitment to children.

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OVERVIEW

STATE ACCOMPLISHMENTS IN RESPONSE TO JJDP ACT OF 1974, AS AMENDED

I. LEGISLATION IN SUPPORT OF STATUTORY MANDATES

Fifty-two states and territories are currently participating in the JJDP Act Formula Grant Program. According to 1984 State Monitoring Reports, 43 states and territories are in full compliance with Section 223(a)(12)(A), (removal of status offenders from secure facilities); and, thirty-three have demonstrated compliance with Section 223(a)(13) (separation of juveniles from incarcerated adults. All participating states and territories should demonstrate full compliance, but must demonstrate substantial compliance (75% reduction) with Section 223(a)(14) (jail removal) beginning December 1985. Accomplishments will not be reflected until the 1986 Monitoring Reports are submitted in December 1986. State Legislation has been required in many instances to achieve compliance with these provisions, and legislative and or executive action at the State level has frequently come as part of overall juvenile code revision.

The following identifies State achievements with respect to enactment of legislation to implement the three statutory mandates:

A. Status Offenders

As of January 1986, the following 36 states/jurisdictions had enacted legislation in support of the JJDP Act's mandate to remove status offenders from secure facilities:

Alabama
Arizona
Arkansas
California
Colorado
Connecticut
Delaware
Georgia
Idaho
Illinois
Indiana
Iowa
Kansas
Louisiana
Maine
Maryland
Massachusetts
Minnesota
Montana
New Hampshire
New Jersey
New York
North Carolina
North Dakota
Ohio
Oklahoma
Oregon
Pennsylvania
Tennessee
Utah
Virginia
Washington
West Virginia
Wisconsin
Puerto Rico
Virgin Islands

B. Separation

All states have statutory provisions which address the separation of adults and juveniles in jails and lockups. Since the passage of the JJDP Act, the majority of states have created administrative rules and/or standards that support and enforce their State statute on separation.

C. Jail Removal

As of January 1986, the following 20 states/jurisdictions have enacted legislation in support of the JJDP Act's Jail Removal mandate:

Connecticut
Delaware
District of Columbia
Florida
Maryland
Massachusetts
Missouri
New Jersey
New York
North Carolina
Oklahoma
Oregon
Pennsylvania
Rhode Island
Tennessee
Utah
Vermont
Virginia
Washington
Puerto Rico

February 24, 1986

II. STATE ALLOCATION OF FORMULA GRANT FUNDS BY PROGRAM (1985 COMPREHENSIVE STATE PLAN)

In an effort to uniformly present activities which are being supported with the FY 1985 formula grant funds, six activity areas were developed and all program funds being allocated to the five areas were identified. The five program activities are:

(A) **Prevention:** This area includes activities which prevent or preclude minor and serious crimes from occurring and which prevent the commission of status offenses. It covers school, community, and family programs dealing with prevention activities.

(B) **Preadjudicatory Alternatives in Support of Jail Removal and status offenders:** The activities in this area include those providing alternatives to the traditional handling of accused delinquent and status offenders. Activities such as short-term shelter care, youth attendant, attention homes, home supervision, and others which are alternatives to the use of jails or other secure facilities for youth awaiting adjudication and disposition are included in this program activity.

(C) **Treatment and/or Rehabilitation:** This area includes programs which are providing services to post adjudicated youth. Typically, these programs are long-term treatment and rehabilitation services which are provided to serious/habitual offenders, minor offenders, and status offenders and included both community-based and institutional based services.

(D) **System Improvement:** Included in this area are all programs geared toward improving the juvenile justice system process and/or personnel. It includes training activities for law enforcement, judiciary, correction, probation, and social services. It also includes all technical assistance, evaluation and research efforts.

(E) **Advocacy:** This includes all legislative, policy, and related activities which advocate on behalf of youth. It includes the State Advisory Group (SAG) activities and other public and private youth advocacy activities.

The attached chart, as summarized below, shows state-by-state, the amount of FY 1985 formula funds allocated to each of the five areas. A total of $39,524,396 was allocated for program activities as follows:

Prevention	$ 9,112,647	23.1%
Preadjudicatory Alternatives	9,309,318	23.6%
Treatment/Rehabilitation	10,814,872	27.4%
System Improvement	7,853,775	19.9%
Advocacy	962,566	2.4%

FORMULA GRANT PROGRAM
FY 1985
ACTIVITY FUNDING

	Total Program Activity	Diversion	[illegible]	Treatment and Rehabilitation	System Improvement	Advocacy
Alabama	[illegible]	[illegible]	[illegible]	[illegible]	16,910	11,250
Alaska	[illegible]			[illegible]	100,000	11,250
American Samoa*	[illegible]		[illegible]	[illegible]	41,358	2,813
Arizona	[illegible]	[illegible]	[illegible]		35,000	11,250
Arkansas	[illegible]	[illegible]			[illegible]	11,250
California	[illegible]	[illegible]		[illegible]	276,633	127,600
Colorado	[illegible]	[illegible]	[illegible]		60,000	[illegible]
Connecticut	[illegible]	[illegible]		[illegible]	107,299	11,250
Delaware	[illegible]	[illegible]		[illegible]	[illegible]	11,250
District of Columbia	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	11,250
Florida	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	11,250
Georgia	[illegible]	[illegible]		[illegible]	[illegible]	11,250
Guam*	[illegible]		[illegible]		[illegible]	2,813
Hawaii	Non-Participating					
Idaho	[illegible]		[illegible]	[illegible]	25,000	11,250
Illinois	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	11,250
Indiana	[illegible]		[illegible]		[illegible]	11,250
Iowa	[illegible]	[illegible]	[illegible]	50,000	60,700	11,250
Kansas	[illegible]	[illegible]	[illegible]	43,750	30,000	11,250
Kentucky	[illegible]		[illegible]	25,000	[illegible]	11,250
Louisiana	[illegible]		[illegible]	[illegible]	[illegible]	15,000
Maine	[illegible]	[illegible]		100,000	[illegible]	11,250
Maryland	[illegible]	[illegible]		[illegible]	[illegible]	11,250
Massachusetts	[illegible]	[illegible]		[illegible]	100,000	11,250
Michigan	[illegible]	[illegible]	[illegible]	[illegible]		11,250
Minnesota	[illegible]	[illegible]	[illegible]	[illegible]	139,219	11,250
Mississippi	[illegible]		[illegible]	[illegible]	75,600	60,000
Missouri	[illegible]	[illegible]	200,000		550,000	17,600
Montana	208,125		50,000	50,000	76,875	11,250
Nebraska	266,217	21,095	233,956			11,250
Nevada	Non-Participating					
New Hampshire	208,125	[illegible]	4,000	100,000	8,000	11,250
New Jersey	[illegible]	[illegible]		[illegible]	340,250	11,250
New Mexico	[illegible]	[illegible]	[illegible]		30,000	11,250
New York	[illegible]	[illegible]		[illegible]	665,300	32,500
North Carolina	[illegible]		200,000	[illegible]	300,300	11,250
North Dakota	Non-Participating					
Northern Marianas*	[illegible]	[illegible]	[illegible]	10,000	61,213	2,817
Ohio	[illegible]	[illegible]	[illegible]	[illegible]		11,250
Oklahoma	[illegible]	[illegible]	[illegible]	[illegible]	99,111	11,250
Oregon	425,300		[illegible]		63,611	11,250
Pennsylvania	[illegible]			879,137	879,138	11,250
Puerto Rico	[illegible]		165,000	330,190	190,635	39,700
Rhode Island	208,125	[illegible]			16,495	31,656
South Carolina	[illegible]	[illegible]	[illegible]	78,000	67,568	71,079
South Dakota	Non-Participating					
Tennessee	[illegible]	10,000	[illegible]	[illegible]	300,000	25,000
Texas	[illegible]	50,000	2,015,000		650,000	
Trust Territories*	[illegible]		15,000	60,000	86,072	15,000
Utah	[illegible]	33,000	3,000	[illegible]	30,000	11,250
Vermont	208,125	[illegible]		[illegible]		11,250
Virginia	[illegible]	25,000	150,000	[illegible]		11,250
Virgin Islands*	[illegible]	[illegible]		100,000		2,813
Washington	[illegible]	[illegible]		[illegible]		12,225
West Virginia	[illegible]	[illegible]		[illegible]		41,550
Wisconsin	[illegible]		245,000		471,600	52,875
Wyoming	Non-Participating					
TOTAL	[illegible]	[illegible]	[illegible]	[illegible]	7,853,775	[illegible]
PERCENTAGE	100%**	[illegible]	[illegible]	[illegible]	19.9%	2.4%

* Figures include the [illegible]

** Percentage totals do not equal 100% due to the unavailability of [illegible] specific activity funding.

February [illegible], 1986

III. HIGHLIGHTS OF STATE ACHIEVEMENTS (1984 and 1985 Annual Performance Reports)

States account for major achievements/accomplishments in their Annual Performance Reports, as required by Sections 223(a) and 223(a)(22) of the JJDP Act. The following highlights specific accomplishments for each participating state and territory:

(1) ALABAMA

Alabama has awarded, on a statewide basis, a variety of community-based diversion and prevention programs, reaching over 4,000 children a year. These programs have made it possible for agencies to cooperate and to provide services for youths of all ages.

Federal funds have been used to reach all types of youth, as well as to train law enforcement personnel and the judiciary. This has been key in bringing Alabama into compliance with the mandates of the JJDP Act.

(2) ALASKA

Alaska is making an effort to reduce the number of juveniles who are admitted to the formal legal system, while still holding juveniles accountable for their behavior by the use of restitution programs and community service programs. In addition, Alaska is providing delinquency prevention programs for youth in more remote areas of the State. They have also made available additional juvenile detention beds in their jail removal effort.

(3) AMERICAN SAMOA

American Samoa provides a child abuse program that has both treatment and protective services. To enhance this program, they have successfully sought to increase the number of approved and licensed foster care parents and homes. Additionally, they maintain a shelter care facility which provides counseling services as well as temporary detention for juvenile offenders, primarily runaways and truants. Shelter care facility has a zero recidivism rate. They also support training of all staff involved with youth to enhance the services they are providing.

(4) ARIZONA

The State Juvenile Justice Advisory Group and the juvenile justice staff have played major roles in getting State legislation adopted which:

- increased funds, through special appropriation, for services to juveniles at the first three referral points in the juvenile justice system . . ..
- expanded minimum security beds and increased contracted community services . . ..
- appropriated 2.9 million dollars to provide early intervention services to families and victims of child abuse . . ..

(5) ARKANSAS

Since 1983 Arkansas has focused efforts heavily on jail removal through the introduction of legislation to establishe specific objective admission criteria for secure and nonsecure facilities and legislation specifying exceptions provisions to jail removal. Concurrently, the State has continued to monitor the use of jails and shelter care programs and strengthened the training provided to juvenile justice and law enforcement personnel on policies and procedures associated with proposed code revisions. Through this time-phased implementation plan the State has made an unequivocal commitment to achieving full compliance with removal.

(6) CALIFORNIA

Separation of juveniles from adults was achieved by the California Youth Authority in February 1985, thus eliminating an earlier barrier to continued participation in the JJDP Act.

(7) COLORADO

Colorado continues to give top priority to project development and the expenditure of JJDP money to directly affect the immediate obstacles to accomplishment of removal of status offenders from secure detention, separation, and jail removal. It is through the development of alternatives to secure incarceration that the State has made the most progress toward maintaining or achieving compliance with the JJDP mandates. The State's JJDP programming also emphasizes a variety of projects to prevent delinquency.

(8) CONNECTICUT

Strengthening and maintaining family units is a high priority for Connecticut. For the Department of Children and Youth Services (DCYS), utilizing the least restrictive alternative and increasing preventive and support services, as opposed to supplementary and substitute services, is policy and practice. Progress in this program category included the development and dissemination of a draft statement, "Guidelines for the Planning and Development of Preventive Services," which systematically enumerates the statutory foundation for preventive services within DCYS, lists barriers within the Department, proposes a prevention definition and identifies potential roles for DCYS, its Regional Advisory Councils and its grant-in-aid recipients. Significant interdepartmental coordination of programs has occurred between all of Connecticut's youth serving agencies at the State level.

(9) DELAWARE

The most significant issue to be dealt with in the State of Delaware is the runaway status offender. The problem of repeat runaways was causing law enforcement and legislators to reconsider the legislative posture the State took when it made secure detention of status offenders unlawful. However, the State, with JJDP Act funds has used and is continuing to use several other strategies to address the problem. They have focused on strengthening the community-based programs and improving coordination among those which exist. Consistent with Delaware's legislation which decriminalized status offenders and made secure detention of status offenders unlawful, efforts are continually focused on making status offenders more of a responsibility and concern of social services agencies as opposed to the juvenile justice system.

(10) DISTRICT OF COLUMBIA

The Interagency Youth Project (IYP) has been operating for the past three years at full staff and maximum resources. This project serves multi-problem youth in need of a variety of services. Client problems addressed included school behavior problems, poor family relationships, and learning problems, as well as family problems. Through use of an interagency case management team the IYP provides services through public and private service providers.

(11) FLORIDA

Florida has, in its 1985 legislative session, passed several pieces of legislation that should provide positive impact in maintaining compliance with Section 223(a)(12) of the JJDP Act. These, coupled with the policies of the Department of Health and Rehabilitative Services are designed to, ensure that accused and adjudicated status offenders and non-offenders receive services in their home community, in the least restrictive alternative, and receive the services of community-based facilities. Florida's statutes require inspections of all facilities twice annually, thus helping to ensure maintenance of compliance with all sections of the Act.

(12) GEORGIA

Since Georgia began participating in the JJDP program, they have achieved and maintained compliance with the status offender and separation mandates of the Act and have shown significant reduction in the numbers of youths held in jails and lockup. Georgia's active state advisory group provided input to the legislative package submitted to the Governor and the legislature regarding juvenile justice and delinquency prevention. Georgia has a number of successful statewide delinquency prevention efforts that have been institutionalized and involve all levels of the community as well as public services.

(13) GUAM

Guam provides community-based, non-penal alternatives to status offenders and their families to prevent close association with criminal offenders. Included in the program are crisis intervention, casework and counseling, temporary and immediate shelter, after care and supportive information and referral. In the area of prevention, Guam uses several programs including rehabilitation of juvenile offenders as well as counseling and other supportive services.

(14) HAWAII

Non-Participating State

(15) IDAHO

Seven Regional Children and Youth Councils have been established to support Statewide planning and to stimulate local funding support for juvenile services. The State will allocate $25,000 to provide training and technical assistance in support of juvenile services and the activities of the Councils. Additionally, Idaho reports that for the fifth consecutive year, there has been a decrease in the number of juveniles referred or committed for extended services. This trend is consistent with State agency support of the establishment of community diversion programs for status and other minor offenders.

(16) ILLINOIS

Over the last two years, Illinois has developed a highly sophisticated needs assessment process which results in valuable local input for the State's Comprehensive Juvenile Justice Plan. Formula grant funds have been effectively used to create youth service bureaus, shelter care facilities, and to address the issue of serious and violent juvenile offenders and gang activities.

(17) INDIANA

Indiana is actively pursuing code revisions that will support the JJDP Act's jail removal mandate. At the same time, Statewide efforts are underway to develop detention criteria and a 24-hour intake system, both of which are necessary to implement removal legislation. JJDP funds are also being used to develop shelter care facilities, foster homes, home detention, and transportation systems to successfully remove juveniles from adult jails and lockups.

(18) IOWA

Iowa has singled out development of alternatives and prevention of delinquency as their most pressing issues. They have implemented a program to raise citizen awareness to the need for alternatives, increase law enforcement and court sensitivity by developing detention criteria, developing and using alternatives such as in-home detention, emergency foster care, and intensive supervision programs. Limited funds have brought about innovative efforts such as remodeling an old age home to place a short-term juvenile facility at one end of the building so it has a separate entrance, but can still use food service facilities that serve the home when a juvenile is being detained. Because of the close proximity of the home, no staff is needed when the juvenile facility is not in use. Their preventive effort is outlined in a booklet entitled, "Preventing Delinquency: A Community Approach," covering 33 projects. A contact person for each project can be used by any local group to replicate successful projects. The State Planning Agency has developed a program with the Iowa Arts Council to provide creative acceptable activities in the arts that provide successful experiences, pride in accomplishment, discovery of talent and practice in directing abilities toward positive goals.

(19) KANSAS

Kansas has legislation in place which makes a violation of the status offender provision of the JJDP Act also a violation of State law. Kansas Senate Bill 2, currently being considered in the State Legislature, would make violations of the jail removal provision a violation of State law. By far, the largest portion of Kansas' allocation of JJDP funds is allocated for alternatives to the placement of juveniles in jails or lockups.

(20) KENTUCKY

Kentucky is undertaking a sweeping juvenile code revision that will support the removal of status offenders from secure detention and jail removal mandates of the JJDP Act. To ensure the successful implementation of these revisions, Kentucky is exploring various options for computerizing its monitoring system in order to quickly respond to violations. In addition, Kentucky is using JJDP funds to support alternatives to jail which include shelter care, foster homes, and home detention.

(23) LOUISIANA

Since Louisiana began participating in the JJDP program they have achieved and then maintained compliance with the JJDP status offender requirements partly through the creation and improvement of a statewide shelter care system. The State recently passed legislation transferring the Division of Youth Services to the Office of Juvenile Services within the Department of Public Safety and Corrections, an action which may mark the beginning of a move to place all children and youth services into a single State agency to promote coordination and provide a complete array of services.

(22) MAINE

During the 112th Legislative session, legislation was passed, with an effective date of September 1985 which provided for the application of objective criteria for eligibility for secure detention of pre-trial detainees. It also set out enabling legislation language for the establishment of juvenile detention centers under the operation of the Department of Corrections or by any agency approved by the Department. Another effort underway is a secure detention task force established by the Juvenile Justice Advisory Group (JJAG). It includes all "concerned" with detention of juveniles (i.e., JJAG members, sheriffs, county commissioners, other service providers state correctional offices, etc.) and is working to develop a reasonable solution to the removal mandate for Maine. It is pursuing an intensive review of the possibilities for compliance with the regulations, as many of Maine's jails are currently in the process of new construction or extensive renovation. Also underway are two pilot projects in the central and southern areas of the state to provide alternatives to in-jail detention with the major emphasis placed on attendant care in lieu of incarceration and on supervised conditional release (home detention).

(23) MARYLAND

Maryland has looked at institutional crowding as one of the most pressing problems of the system and attributed it to intake policies, judicial dispositional practices, inadequate post and pre-adjudication advocacy for juveniles, and lack of realistic and appropriate alternative to institutionalization.

Following from that, Maryland has focused its efforts on training probation officers who recommend commitment, judges who feel they have no alternatives and service providers. The Juvenile Justice Advisory Council has begun efforts to improve community-based care so that high risk youths are placed in settings more responsive to their needs. This has allowed more youths to be provided with appropriate levels of treatment in a community setting.

(24) MASSACHUSETTS

Massachusetts has singled out the areas of diversion, prevention, and community-based alternatives as their priorities. The major goals are reduction of the number of complaints, diversion of more juveniles out of the system, increase in non-institutional resources available to the courts and social service providers, lower the recidivism rate, better working relationship with schools, and increased community awareness of drug/alcohol problems. Supporting these efforts are increased training programs.

(25) MICHIGAN

Michigan is in the process of making significant revisions to its juvenile code that will support the JJDP Act's Status Offender and Jail Removal mandates. On a second front, Michigan has mounted a vigorous effort to modify detention practices at the local level, particularly in rural areas of the State, such as the Upper Peninsula and Northern Lower Peninsula. This effort has resulted in the creation of an extensive transportation network and the establishment of home detention and youth attendant program, and holdover facilities.

In addition, formula grant funds have been made available to support youth service bureaus, law related education, neighborhood and community oriented prevention services, and projects which focus on serious and violent juvenile offenders.

(26) MINNESOTA

Minnesota has developed one of the nation's most sophisticated and effective computerized monitoring systems to ensure compliance with the requirements of the JJDP Act. Efforts in this area have also led to annual juvenile crime analyses that are consistently illuminating and of major value to the State's strategic planning for juvenile justice.

Another distinction enjoyed by Minnesota is its emphasis and support for the accreditation of juvenile justice programs and facilities. This focus has contributed to a significant improvement in the effectiveness and efficiency of services for Minnesota's delinquent and troubled youths.

(27) MISSISSIPPI

In their efforts to come into compliance with the JJDP Act, Mississippi formed a Juvenile Justice Standards Committee. This committee reviewed current State law, programs and procedures, as well as those of other states. Using national standards as references, the committee drafted and then adopted State standards that should aid Mississippi in achieving and maintaining compliance.

(28) MISSOURI

The State of Missouri has been successful in passing jail removal legislation and their current efforts are aimed at putting in place adequate community based alternatives for all Missouri counties. With the addition of diversion and prevention programs, Missouri has a comprehensive approach to the juvenile crime problem. An important aspect of their program is an effort to coordinate the efforts of the courts through assessment, training, research and monitoring.

(29) MONTANA

During 1985, Montana passed legislation requiring compliance with the JJDP status offender provision. In order to improve monitoring for compliance with the JJDP mandates, the Senate has implemented a system where members of the Supervisory Board and the State Advisory Group are asked to monitor facilities whenever they travel within the State, thus providing necessary information at a greatly reduced cost, and at the same time, increasing the knowledge and understanding of board members.

(30) NEBRASKA

Nebraska started participating in the JJDP program in 1981. Monitoring data indicates the State has made significant progress in reducing the number of juveniles held in adult jails.

(31) NEVADA

Non-Participating State

(32) NEW HAMPSHIRE

A good deal of effort has been devoted to State concentration/coordination of effort. The creation of the Division of Children and Youth Services in 1983 was a major step toward coordinating programs for youth in the State. Many programs have been incorporated within the Division's jurisdiction. These include: protective services, adoption, foster care, and juvenile detention. Although most residential and non-residential programs are administered by private agencies, the Division is the primary source of funds for youth. This enables the Division to coordinate planning for services.

The Division has been working with the Division of Mental Health to improve the availability of mental health services to youth. It has also been cooperating with the Department of Education to establish joint funding for youth needing educational as well as placement services. Additionally, they have been working with the Attorney General and local police departments to establish protocols for handling of child abuse.

(33) NEW MEXICO

New Mexico has achieved full compliance with the JJDP status offender and separation provisions and has been exempted from the last two monitoring report submissions. One of the major accomplishments of the JJDP program in New Mexico was the initiation of a Statewide shelter care system which was so successful that it was picked up by the State Department of Social Services and is now part of the State budget. The State's School Crime Improvement Program has proven to be such a success that 20 schools, with a student population of over 10,000, requested and began participation. This program has resulted in reductions in school vandalism, violence, and truancy.

(34) NEW JERSEY

As a result of participation in the JJDP Act New Jersey established 7 youth service bureaus around the State, which provide advocacy, crisis intervention counseling and other needed services to approximately 7,000 delinquent prone kids. These bureaus coordinate and utilize existing social, counseling and rehabilitative services and encourage system change modification for improving service to youth. These projects recognize family as an integral resource when working with youth and use community educational programs aimed at enhancing parenting skills to develop this resource.

In 1974 State legislation prohibited the pre or post adjudication holding of status offenders. The recently enacted juvenile code (1984) continues this prohibition.

(35) NEW YORK

Two major efforts have occurred in prevention/diversion and treatment. Delinquency Prevention and Diversion programming efforts have been focused in the following areas; family services, education, employment, recreational and cultural enrichment and community coordination of the aforementioned services and projects. New York has structured its treatment programs to maximize the availability and quality of services for detained and incarcerated youth to enhance the rehabilitation process and reduce or eliminate the disruptive effects of separation from home and provide transition services that increase chances of successful reintegration into the community.

(36) NORTH CAROLINA

As a result of participation in the JJDP Act, North Carolina has shown progress toward achieving interagency and regional sharing of juvenile justice data and information. Local units of government have established planning committees to evaluate local needs of children which in turn are considered by the Governor's Crime Commission. Priorities identified through such local evaluations and during public hearings guide the Commission's decisions on the funding of programs through the State's Juvenile Justice Plan.

(37) NORTH DAKOTA

Non-Participating State

(38) NORTHERN MARIANA ISLANDS

The Northern Mariana Islands have been successful in making available more trained personnel to work with their "at risk" youth, as well as teaching parenting skills where intra-family conflict is a problem. They also strive to make available self supporting programs that provide community activities and include "troubled" youth among their members by supporting initial efforts to organize such programs. These programs have been successful in directing young people into more productive use of their time. In addition, they provide treatment programs for youth that include day time supervision, counseling, vocational and academic skill-training leading to graduation and employment.

(39) OHIO

Attempts are being made to revise Ohio's juvenile code in support of the JJDP Act's Jail Removal mandate. At the same time, the Governor's Office of Criminal Justice Services is working with the Ohio Juvenile Court Judges Association to modify practices in this area. Linked to this effort is the use of formula grant funds to develop effective alternatives such as shelter care programs. In addition, formula grant funds are being used for school-based prevention programs, local youth services coordinating councils, and projects that address the issue of serious and violent juvenile offenders.

(40) OKLAHOMA

Oklahoma only began participation in the JJDP program in 1984. Compliance with the JJDP Jail Removal requirement will be facilitated by the recently passed State law providing that, "After July 1, 1987, no child may be detained in a jail, adult lockup, or other adult detention facility."

(41) OREGON

To ensure successful implementation of Oregon's status offender and jail removal statutes, formula grant funds are being used to establish and maintain effective alternatives, such as surrogate detention officers, shelter care, and home detention programs. Formula grant funds are also being expended for school-based delinquency prevention programs.

A recent initiative of major importance involves the development of a juvenile offender tracking system. Once operational, this system will contribute to the planning and evaluation research already underway in Oregon which is designed to improve the administration and operation of the juvenile justice system at the State and local level.

(42) PENNSYLVANIA

The System Improvement and Model Program Development Initiative has been most effective in addressing system level problems by providing support for projects designed to utilize planning, evaluation, advocacy, training, and demonstration treatment programs designed to effect improvements within the juvenile justice and youth service systems at the system level.

This project has been targeted to developing a systematic body of information on juvenile offenders and treatment programs and to effecting interagency and multi-jurisdictional planning and system support for the improvement of juvenile justice and youth services.

(43) PUERTO RICO

Puerto Rico has provided community-based programs and services to youth in an effort to provide development of social skills with an evaluative approach and diversion from the juvenile court where possible. Included in this effort are emergency services for runaway youth, shelter and therapy for minors with discipline problems, rehabilitation services for offenders, drug and alcohol prevention programs, restitution, and legal representation for youth. The territory is in the process of making $1 million dollars available to the Department of Youth Affairs to support youth programs, and action is underway to revise the juvenile code.

(44) RHODE ISLAND

Most of JJDP funds awarded in Rhode Island during 1984 supported delinquency prevention projects which included some type of family component. Included were a school based program which focused on reducing truancy, reducing instances of juvenile arrest/misconduct, and increase in grade averages. Impact of the program is reflected by a goal of reducing days absent per pupil by 20 percent, increase in grade averages by 5 points per pupil, and reducing instances of misconduct/arrest by 50 percent. Other successful programs included a school based advocacy project designed to enhance potential of minority students to graduate from high school and secure employment or to seek post-secondary education. Two-thirds of minority seniors in the program applied to college, and all minority seniors requesting job information found jobs. In addition, Rhode Island has used JJDP funds to develop an evaluation and research capacity, and is currently funding a delinquency prevention project designed to test Daniel Glaser's theory of Differential Anticipation. The project is a comprehensive, local, school based effort focused on the social bonding and social learning aspects of Glaser's theory.

(45) SOUTH CAROLINA

In 1983, the DYS, in conjunction with the Governor's Office, developed a statewide prevention plan to address the problems of delinquency. The home, school, and community were selected as the target areas of concentration to develop and implement strategies to prevent delinquency. Therefore, efforts have been initiated to resolve the delinquency problem, with some immediate results noted. Lack of adequate primary prevention programs to deal with the problems of delinquency and crime before they occur; insufficient secondary and tertiary prevention programs that provide effective treatment interventions for delinquent behavioral; and the lack of community support and involvement in delinquency prevention activities were identified as major contributory factors of delinquency in South Carolina.

(46) SOUTH DAKOTA

Non-Participating State

(47) TENNESSEE

Tennessee was the first State to implement a network of Temporary Holding Resources on a statewide basis. These are non-secure facilities with secure capabilities, that can be use by three to five surrounding counties for placement of children as an alternative to jail for a maximum of 72 hours.

(48) TEXAS

Texas has succeeded in significantly reducing the numbers of status offenders and nonoffenders held in violation of the JJDP status offender provision and jail removal provisions.

(49) TRUST TERRITORIES

The Trust Territory of the Pacific Islands have been successful in reaching and maintaining compliance in the area of Jail Removal by expanding alternatives such as restitution, community service and restriction of freedom of movement in the community, all of which are community-based. They have also funded diversion programs which teach marketable skills. An important aspect of their program has been an effort to increase community support for their initiatives.

(50) UTAH

In Utah, Youth Service Centers work with status offenders and homeless youth and their families using a variety of community services and they are currently working to extend these services into rural counties. They are also developing community-based facilities for offenders, multi-use facilities and holdover facilities. Extensive training of law enforcement and court personnel are an important aspect of their efforts.

(51) VERMONT

Vermont plans to develop a Statewide program through the use of subsidies or other financial incentives designed to remove 16 and 17 year old misdemeanants from adult jails and lockups.

A model custody classification system for juvenile offenders was recently created with a grant from OJJDP. They expect the system to be useful in developing broad consensus about treatment and placement for violent and chronic offenders under age 18.

(52) VIRGINIA

Virginia has been shown to be in compliance with Sections 223(A)12 and 13 of the JJDP Act. In order to achieve compliance with the jail removal mandate of the Act, Virginia formed an interagency task force that made recommendations to the State for changes in operating policies and procedures as well as in the State legislation. As a result the Virginia legislature enacted House Bill 1417 which will remove juveniles from adult jails and lockups, effective July 1, 1986.

(53) VIRGIN ISLANDS

The Virgin Islands combine a diversion and restitution program for a primarily disadvantaged population with an outstanding degree of success at very little cost. To the same population, they also offer an enhanced diversion program that is aimed at increasing involvement in crime prevention and police athletic league activities which has shown a 5 percent recidivism rate, again at very little cost compared to confinement. They fund an alternative education program, supported also by direct community participation or donations, that has qualified 80 percent of its participants for the GED test, and all gained skills in agriculture, auto body repair, and carpentry.

(54) WASHINGTON

Washington's formula grant funds are being used to address several emerging juvenile justice issues. Several projects are focusing on the links between child maltreatment and delinquency, and runaway/throw-away youths and street crime. In addition, formula grant funds are being allocated to support juvenile drug and alcohol abuse prevention and treatment, and to increase the effectiveness of services for serious offenders. Efforts are also being undertaken with formula grant funds to increase the State's capacity for planning and evaluation research in order to improve the administration of juvenile justice at the State and local level.

(55) WEST VIRGINIA

West Virginia consistently uses its formula grant award to provide start-up funding for juvenile justice projects that are distributed throughout the State. In 1985, these projects focused on chemical dependency, female offenders, serious and violent offenders, and improving the bond between schools and at risk youth.

(56) WISCONSIN

Wisconsin is attempting to enact legislation in support of the JJDP Act's Jail Removal mandate. To ensure successful implementation of the State statutes once they are passed, JJDP formula grant funds are being used to develop alternatives to jail, such as home detention programs and report centers. In addition, formula grant funds are being allocated to conduct planning and evaluation research designed to improve the administration and operation of the juvenile justice system at the State and local level.

(57) WYOMING

Non-Participating State

Senator **Specter**. Would the four witnesses come forward, and let us move rapidly because of our time limitations? Let us start with Ms. A.L. Carlisle, and to move the process along, without objection, we will place the full text of a letter from Ms. Carlisle to President Reagan, dated February 5, into the appendix of the hearing record.

Senator **Simon**. Mr. Chairman, I understand we want to hear these four witnesses while Mr. Regnery is here. I would frankly like to ask Mr. Regnery some questions afterward.

Mr. Regnery, I understand you say you have to leave at quarter to 11. If I may, is there anything that urgent that requires your leaving at that point?

Mr. **Regnery**. No, Senator. In all candor, it is not a question of time. It is a question of my staying and listening to the other witnesses and responding to them after that.

What I believe, as I mentioned to Senator Specter, the deal was between the Department and the committee was that I would stay and testify for as long as they wanted me to, at which point I would leave.

Senator **Specter**. Senator Simon, what happened before you came in was that I requested Mr. Regnery to stay, and we had a conversation about it and my staff tells me there was no such deal.

But when I told him we could get the process finished very promptly by a quarter of 11, he agreed to stay and hear the witnesses. He will come back on another occasion for a followup hearing, but I want to get this matter to a head, if we can, and that was the compromise which the Chair and Mr. Regnery agreed to.

Senator **Simon**. Well, if he would not object, when these four witnesses give their brief testimony, I would also like to have a few questions of Mr. Regnery.

Mr. **Regnery**. Well, that is fine. I am perfectly willing to answer your questions, but I am not going to try to respond to the other witnesses.

Senator **Specter**. Well, we may have some questions for you which take into account what the other witnesses have said.

Mr. **Regnery**. That is fine; I have no problem with that.

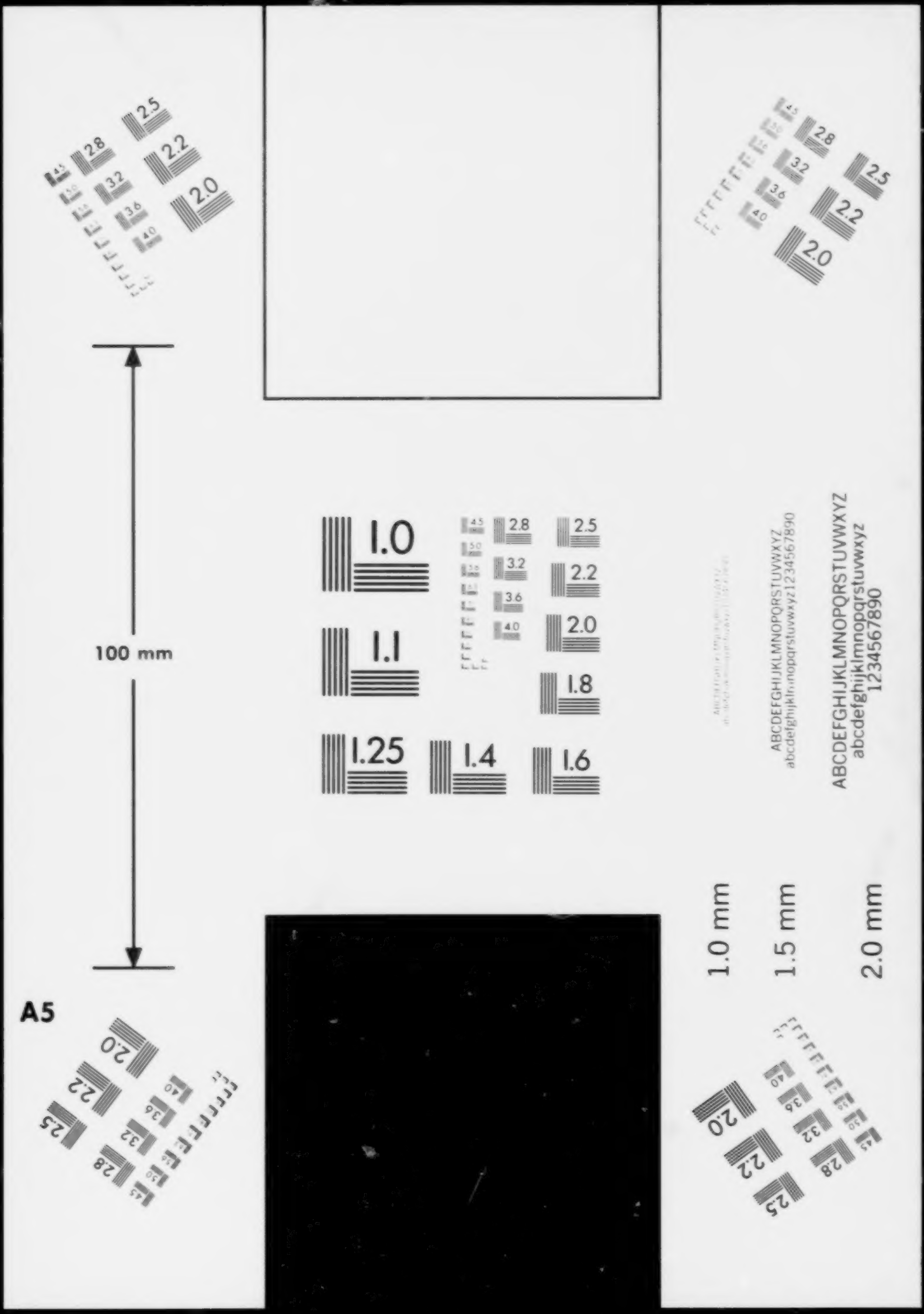
Senator **Specter**. If that is not responding to the witnesses, so be it. [Laughter.]

Ms. Carlisle, focusing on the letter which I just referred to, you say here that Congress appropriated $70 million for OJJDP and you, referring to the President, signed this appropriation bill on December 13, 1985.

The same day, the Office of Management and Budget recommended that all fiscal year 1986 OJJDP funds be frozen, pending a request to rescind the entire fiscal year 1986 appropriation for OJJDP.

The Department of Justice subsequently froze those funds on December 19, 1985. The Senate unanimously passed Senate Resolution 278, which disapproved this informal freeze on OJJDP funds, as well as other Justice program funds.

Would you elaborate upon your factual or evidenciary basis for your statement here that the Department of Justice did freeze the funds prior to the time that the rescission request was filed on December 4, or even prior to whatever it was OMB did on January 7, 1986?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STATEMENT OF A PANEL CONSISTING OF A.L. CARLISLE, CHAIRMAN, NATIONAL COALITION OF STATE JUVENILE JUSTICE ADVISORY GROUPS, CAPE ELIZABETH, ME; MARVIN E. WOLFGANG, PROFESSOR OF CRIMINOLOGY AND LAW, UNIVERSITY OF PENNSYLVANIA, PHILADELPHIA, PA; DONALD W. MATHIS, ACTING PROJECT COORDINATOR, CENTINELA VALLEY JUVENILE DIVERSION PROJECT, INGLEWOOD, CA; AND DEAN DICKSON, EXECUTIVE DIRECTOR, MID-ATLANTIC ASSOCIATION OF YOUTH SERVICES, INC., DOYLESTOWN, PA

Ms. CARLISLE. I believe I put quotation marks around the word freeze because I have been told that formally there is no such term or it was not applied in that kind of formal manner.

Senator SPECTER. Well, they stopped spending money for OJJDP programs.

Ms. CARLISLE. That is right. The end result, as far as we were concerned, was that there was a freeze because no funds were being awarded to the States. And as far as we were concerned, if there was a freeze, it applied across the board, including discretionary programs.

Senator SPECTER. All right. Now, on the facts, who told you that they were not disbursing the juvenile justice funds?

Ms. CARLISLE. Staff at the Office of Juvenile Justice informed me that I would not—States would not be receiving their money because of this pending rescission request.

Senator SPECTER. Staff of the Office of Juvenile Justice?

Ms. CARLISLE. Staff of the Office of Juvenile Justice, yes.

Senator SPECTER. They said that there would not be any expenditures pending what would happen with the rescission request?

Ms. CARLISLE. That is right. I was later told by staff that, in fact, we would be receiving partial awards if our plans had been submitted and approved.

Senator SPECTER. Now, when did staff tell you that?

Ms. CARLISLE. During the week of—well, they first informed me shortly after the President signed the bill and the request to rescind those funds came to the office. I called to find out what that would mean in terms of our 1986 awards.

Senator SPECTER. Well, the request to rescind the funds came over on February 4.

Ms. CARLISLE. The official request. I am talking about the notice that there would be a rescission request coming to Congress in February, and because of that——

Senator SPECTER. When did that notice occur?

Ms. CARLISLE. I believe it was December 13 when OMB suggested that the 1986 funds be rescinded.

Senator SPECTER. And staff told you, then, at what time that the funds would not be expended?

Ms. CARLISLE. At that time, funds would not be expended.

Senator SPECTER. At what time did they say that? Was it on December 13, was it on December 14?

Ms. CARLISLE. Well, I probably did not find out about it until late December 13, so I would guess it was on the 16th.

Senator SPECTER. The 16th?

Ms. CARLISLE. Yes, that there would be a hold on those funds.

Senator Specter. And how many staff members from OJJDP told you that?

Ms. Carlisle. I heard that from two or three different people. I also heard it from people in other States who had been told the same thing by staff in the office.

Senator Specter. All right. Who in other States told you that?

Ms. Carlisle. Massachusetts told me that. Alabama——

Senator Specter. A person in Massachusetts.

Ms. Carlisle. Jane Marsh.

Senator Specter. OK, and who else?

Ms. Carlisle. Doug Miller from Alabama.

Senator Specter. OK.

Ms. Carlisle. Susan Baird from New Hampshire.

Senator Specter. Anybody else?

Ms. Carlisle. Probably, but I cannot think right now who else.

Senator Specter. All right. Would you think it over and supply the subcommittee with anybody else?

Ms. Carlisle. Yes.

[The following was received for the record:]

In response to Senator Specter's request that I supply the subcommittee with the names of people from other States, with whom I spoke, who had been told by staff in OJJDP that there was a "hold" on Juvenile Justice funds (from December 14 or so until the week of January 6–10, when Maine and other States were informed by staff at OJJDP that partial awards would be made to those States whose plans had been approved), my records indicate that I spoke with the following: Jim Roberts—Virginia; Jim Kane—Delaware; Terry Edwards—New Jersey; Brenda Bean—Vermont; Brad Crowther—Rhode Island.

I do not have a record of the people who called me about the freeze. I spoke with many others about the impact of the freeze and the rescission request.

Also, I stated that OJJDP staff told me that funds would not be expended on December 14th or 15th. I did not find out that a rescission had been requested until late in the afternoon on Friday, December 13. Therefore, I would not have spoken to staff at OJJDP until Monday, December 16.

On December 17, I spoke with Sharon Wagner, Mr. Regnery's Administrative Assistant; John Wilson, Deputy Counsel of Office of Justice Programs; and Jack Nadol, Comptroller, about whether the freeze would affect reimbursements to the National Steering Committee in regard to expenses incurred in preparation of the report to the President, the Congress and the Administrator of OJJDP. I was informed by all three that the freeze only affected unobligated funds and that the reimbursements were considered to be obligated and, therefore, would be paid.

On January 9, I was informed by Emily Martin, Acting Director of the State Relations and Assistance Division, that Maine's plan was one of five (others were plans from Vermont, New Hampshire, Connecticut and Rhode Island) on Mr. Regnery's desk, awaiting his signature.

On January 9, Gerry Brown, Maine's Juvenile Justice Specialist, was informed by Marilyn Silver, acting State Representative from OJJDP for the New England States, that Maine would receive one-half its allocation in the form of a letter of award no later than January 17. Jane Marsh, the Juvenile Justice Specialist from Massachusetts, was also informed by Ms. Silver on or around this date that Massachusetts would also be receiving its letter of award within two or three weeks.

On January 15, I was informed by Emily Martin that OMB had placed a "hold" on unobligated fiscal year 1985 and 1986 funds, including all fiscal year 1986 formula grant funds, until Congress acted upon the proposed rescission request, which would be submitted to Congress sometime in early February. Ms. Martin also said that Mr. Regnery had told her that he was unable to sign any awards because if he did, he would be in violation of the Anti-Deficiency Act.

On February 12, Mr. Regnery informed the administrators of the Juvenile Justice Program in the States, by letter, that fiscal year 1986 funds would not be obligated until Congress acted on the proposed rescission request.

Senator Specter. Are you at liberty to tell us who from the OJJDP staff told you that the freeze was in effect?

Ms. **Carlisle**. I would guess that I would be at liberty to tell you that.

Senator **Specter**. Then tell us.

Ms. **Carlisle**. I would only qualify it by saying that I talked to several different people there and was told different things. The person to whom I talked and who told me first of all that this was happening was Emily Martin, who is the Acting Director of the Formula Grants Division.

Senator **Specter**. Emily Martin, who is what?

Ms. **Carlisle**. The Director of the Formula Grants Division.

Senator **Specter**. Of OJJDP, in Mr. Regnery's unit?

Ms. **Carlisle**. Yes. It has another name now—State Relations and Assistance Division.

Senator **Specter**. Wait a minute. What did she say to you?

Ms. **Carlisle**. That no funds would be awarded, would be sent out to the States until such time as they figured out what this informal freeze meant.

Senator **Specter**. OK, and who else told you something to that effect, if anyone?

Ms. **Carlisle**. We were told—let me see. Carl Hamm, who is no——

Senator **Specter**. Carl Hamm.

Ms. **Carlisle**. Yes, who is no longer at the office; he is retired.

Senator **Specter**. What was his position?

Ms. **Carlisle**. It was the same thing, that we would not be getting our money until——

Senator **Specter**. He is with Mr. Regnery's unit?

Ms. **Carlisle**. He was; he retired, I believe, December 31.

Senator **Specter**. And he told you the same thing that Emily Martin told you?

Ms. **Carlisle**. Yes.

Senator **Specter**. Did you talk to anybody else in Mr. Regnery's unit on this subject?

Ms. **Carlisle**. I did, but I do not know if it was at that time. It could have been a followup question a week or so later.

Senator **Specter**. All right.

Ms. **Carlisle**. I called frequently to find out the status of the funds and talk to people.

Senator **Specter**. The question I have for you and am about to ask the other three panelists during a very restricted time parameter—and we can talk to you more after we come to the 10:45 time—what is the effect of this cutoff of funds? How does it affect juvenile justice programs across the country?

Ms. **Carlisle**. The freeze?

Senator **Specter**. Yes.

Ms. **Carlisle**. Oh, it is disastrous.

Senator **Specter**. Why?

Ms. **Carlisle**. Because we have not received any of our fiscal year 1986 funds. We are now 5 months into the fiscal year. Senator Denton explained very clearly what is happening in Alabama.

The State of Washington's programs ran out of money the end of February. They have enough money to keep them going until April 30. If they do not have their money in hand, not on paper, in hand——

Senator **Specter**. What kind of programs are terminated as a result of that cutoff?

Ms. **Carlisle**. Programs that run the range from drug and alcohol abuse prevention, alternatives to jails, alternatives to institutions, treatment programs.

The State of Washington has a program that deals with sexually abused boys. It is the only one I know of in the whole country that is set up specifically to deal with boys who have been sexually abused.

Many sex offenders were themselves abused sexually as children. Their thought is that if they can work with these boys that perhaps they will prevent them from becoming sex offenders when they grow up.

This program was started last year. It has not yet had time to prove its effectiveness, nor to obtain alternative sources of funding. This program will end April 30. The parents and children will be told that they will no longer be able to be provided services. There is no other place to which to refer them.

It is those kinds of programs across the board——

Senator **Specter**. We will hear more from you later, Ms. Carlisle. Thank you very much.

Professor Wolfgang, you were quoted in the Washington Post on December 19, 1985, as saying that you had been awaiting a grant when Justice officials called to say the money was frozen.

First, were you accurately quoted?

Dr. **Wolfgang**. I think I was, yes.

Senator **Specter**. Would you provide the subcommittee with the details of the program that you had in question and what was said to you and by whom, if you are at liberty to do that?

Dr. **Wolfgang**. The program that would have been affected is a long-term longitudinal study that we have been doing at the University of Pennsylvania for the past several years. It is a research that has received a considerable amount of attention both in the professional criminological journals and to some extent in the public media, mainly because we have the largest data base of approximately 30,000 persons who were born——

Senator **Specter**. Dr. Wolfgang, I do not want to interrupt you unduly, but I would like to focus very narrowly because I want to move to Mr. Regnery in just a few minutes. I would like to focus on whether somebody told you the money was going to be cut off prior to the date of this newspaper article on December 19.

Dr. **Wolfgang**. Yes, someone did call prior to that particular——

Senator **Specter**. And what was said to you?

Dr. **Wolfgang**. I was told that the anticipated funds that were to begin on January 1 as our supplemental grant would not be forthcoming, or that there had been some rescinding of that.

Senator **Specter**. Are you at liberty to identify that person? I do not want to breach any confidences here or put anybody at peril, but to the extent that specific identities can be disclosed, it would be helpful to the subcommittee.

Dr. **Wolfgang**. It was a member of the staff of OJJDP.

Senator **Specter**. And what is the consequence of the failure to provide this funding? How does it affect your program?

Dr. WOLFGANG. Well, fortunately, because of your efforts and the resolution by the Senate, our funds have been restored up until the end of March. If they had been cut off or if indeed they are cut off at the end of March, I use the term that I think was quoted in the Washington Post as "devastating," because my entire staff would have to be let go.

The work that is just now coming to a fruition, a very important point where we intend to interview 2,000 subjects, would be dropped. And for purposes of understanding criminal careers and the movement from delinquency to adulthood, for purposes of understanding the escalation, the onset of delinquency, the increase in severity of crime and the most propitious moments for intervention—all of that would be lost.

Senator SPECTER. Let me move on to Mr. Mathis at this time.

Mr. Mathis, are you able to shed any light on any facts as to whether there was a cutoff of funds or a freeze in December 1985 by Mr. Regnery's unit?

Mr. MATHIS. At that time, Senator, I was working in Washington, DC, for a membership organization called the National Network of Runaway and Youth Services, which receives not a dime of JJ money.

My strategy at that time was rather than my making calls over to OJJDP, was to get friends and colleagues and staff on the Hill to make those calls and OJJDP grantees to make those calls, and then call me back, as I was perceived as a fuzzy advocate.

Their answers were mixed messages; some people said yes, some people said no. Some people at OJJDP—and my colleagues called staff at OJJDP and I do not have those names. OJJDP said the funds are being frozen because of Gramm-Rudman; the funds are being frozen because the program has accomplished its purposes. The funds are being frozen and we do not know why, and there will be a rescission announcement at sometime.

There clearly was not a card on each staff person's desk at OJJDP saying this is what you should say in response to these calls. There were at least four or five different messages, all of which led to the conclusion that the funds were frozen.

Senator SPECTER. And what effect, if any, did this cutoff have on your program?

Mr. MATHIS. I am now working in California for a grantee that receives OJJDP State formula grant money. California is a little bit different because we are spending fiscal year 1985 money now, so my immediate program is not threatened in terms of that.

How it does affect my program is I have a proposal in to my local United Way right now; I have a proposal in to the Hollywood Race Track charities organization. I have a proposal in to the Optimist Club; I have a proposal in to Los Angeles County.

I do not know what to say when they say what is happening with your Federal funds. The press has been widespread about the effect of these cuts. It is a part of a partnership and the consensus from these funding sources is they are scared to invest in my program and my kids if the Federal money is going to be pulled.

Senator SPECTER. Thank you, Mr. Mathis.

Mr. Dickson, do you have any direct knowledge or hearsay information about any cutoff of OJJDP funds?

Mr. **Dickson**. I can only echo Ms. Carlisle's statements that in region 3, which consists of Pennsylvania, Virginia, West Virginia, Maryland, Delaware, and the District of Columbia, the cutoff of funds would be disastrous.

During my testimony, I will cite several examples of how this will affect existing programs.

Senator **Specter**. Mr. Regnery, would you care to make any response before I ask you questions?

Mr. **Regnery**. No.

Senator **Specter**. Will you come back to the table, please?

Mr. Regnery, I want to ask you about the kinds of programs described by Ms. Carlisle and the other witnesses—Ms. Carlisle referred to drug programs, alternatives to jail, sexually abused children—and contrast that with the grant which was given to Mr. James McClellan at about this same time in the context of Mr. McClellan's having published materials which, according to the Washington Post on February 28, 1986, criticized the courts for using the first amendment to prohibit school prayer and religious activities; denounced as chicanery and judicial activism Supreme Court rulings that key protections in the Bill of Rights are applicable to the States; an allegation that the Legal Services Corporation withheld part of a $337,000 grant which expired because Mr. McClellan did not complete some of his work; and a statement by you, as quoted in the press, that "to be candid, it played a role," referring to Mr. McClellan's own approach to these substantive issues.

The question is—and I am boiling it down; it is really a series of questions, but I just want to get your general response—in the context of this kind of a background for Mr. McClellan's program, what is the justification for awarding these funds at a time when there is a cutoff of programs for juveniles as described by Ms. Carlisle on drugs, sexually abused children, alternatives to jail, et cetera?

Mr. **Regnery**. Well, first of all, Senator, the programs that Ms. Carlisle described are programs which are funded with our formula grant money, which is the money that goes to the States, and then they, in turn, give grants for a variety of different programs. We do not tell them what sorts of programs to fund.

The statute allows a whole lot of different things that they can do, and we pretty much leave it up to them to spend the money the way they want. As I told you earlier, in fact, we have not made any of our 1986 formula grants.

In fact, none of the formula grants were ready to be made until January 7 or 8, at which time the apportionment document had been delivered by OMB and we had no longer any money to spend.

Senator **Specter**. This is my last question, Mr. Regnery. It is now 10:44 and as far as I am concerned, when you finish this answer, you will have fulfilled your commitment to the subcommittee.

Mr. **Regnery**. All right. Well, let me tell you about the grant, then, to the Center for Judicial Studies. That is part of the law related education series of grants that we make. There are now six organizations which receive those funds. We have been making those grants since 1977 or 1978.

In fact, those are the only grants that the appropriations committees tell us that we have to fund. We spend about $1.5 million a year on those, and we added the Center for Judicial Studies as one of those to fill holes in the curriculum, basically, which were a lack of any discussion on the Constitution.

I find it somewhat ironic that the Washington Post and other liberals are questioning the fact that we gave that grant to the Center for Judicial Studies because, in fact, when I first encountered the law related education project, my question was what does this have to do with juvenile delinquency.

The Congress responded by saying it has a great deal to do with juvenile delinquency and we want it funded.

Senator **Specter**. Who responded to that?

Mr. **Regnery**. The Congress, and, in fact, the appropriations committees in both Houses tell us that we should fund law related education and they tell us how much to fund it for.

We added the Center for Judicial Studies as one of those grantees, as I say, to provide a curriculum for the law related education program on the Constitution.

Senator **Specter**. Well, the question that I was about to ask you, which is, as I said, would be the final one from me in our time parameter, is why fund that in late February 1986 at a time when there has been a cutoff of funding to so many other programs which, by any standard, would be more important, or do you think they are not more important?

Mr. **Regnery**. No, it is not a question of importance. The grant for the Center for Judicial Studies—the grant application came in in August; it was peer-reviewed. The peer review process was approved by me in early December. It was one of a series of grants which were in process and which we held money out for from the apportionment process in January so that we could sign them.

There were six other grants and contracts, I believe, which also were signed. Those were the ones that were ready. Let me simply make one response to Professor Wolfgang, and that is that when he complained to the Washington Post that his money had been cut off, he had not yet even filed a grant application.

We scurried around to see if we could find it and found, in fact, that there had not been an application filed, and we had nothing on which to base any kind of a process in getting money ready to be granted. He subsequently did; we subsequently funded that for a period of 3 months, I think, through the end of April, so that he could continue.

But it was simply a question of what grants were ready to go, where they were in the process, what applications had come in, and so on, and we tried to fund those which were basically in the pipeline.

Senator **Specter**. Mr. Regnery, thank you.

Let the record show that it is now 10:47. The subcommittee appreciates your staying.

Senator **McConnell**. Mr. Chairman, does that mean that Mr. Regnery is now leaving?

Senator **Specter**. No, it does not mean he is leaving. It just means that within the parameter that we had established before you came that we asked him to stay and listen to some comments, he agreed to stay within a parameter which I suggested be 10:45.

After that was done and Senator Simon came in, he asked Mr. Regnery if he would be around to answer some more questions. I am just saying that we have now finished what we set as a parameter at the outset.

I believe Mr. Regnery did say to Senator Simon that he would be prepared to stay longer. He may even say the same thing to you, Senator McConnell.

Senator **McConnell**. That would be wonderful.

Mr. **Regnery**. Senator, I will be glad to stay here and answer questions from the Senators as long as you want me to stay.

Senator **Specter**. OK, all right.

Mr. **Regnery**. Just to make it clear, what I am not going to do is to stay while the other witnesses testify again and then respond to them.

Senator **Specter**. Well, the interest of the Chair has been fulfilled in having the testimony which has been given up to this point. What we are going to do now is give Professor Wolfgang a chance to respond, since there has been an issue you just mentioned, and after that we will turn to Senator Simon and then to Senator McConnell.

Dr. **Wolfgang**. Mr. Regnery is correct in what he said. We had submitted a preliminary draft of our continued proposal much, much earlier, and we were in the process of making some revisions in the budget, and that came at the very end of the month of December.

And Mr. Regnery has always been supportive of our research, as was indicated in his earlier testimony this morning. He mentioned us, and I am very gratified. There is no argument that we have ever had with respect to the merits of the research.

The only issue, and the major reason I am here, is to provide a voice for the research community because the work that Mr. Regnery's office has supported, the research aspect, has indeed a national basis and is not something that can very easily be supported by the local communities or even the State.

We hope, and we have been somewhat gratified by this, that the research that we have been doing, the longitudinal research, has national importance and significance. I think that the criminal career programs that have been established throughout the country and the new serious, violent juvenile offender programs that Mr. Regnery has helped launched were, in part, based upon some of the findings that we have produced.

Senator **Specter**. Professor Wolfgang, I will certainly back up what you said. Your research over the years has been extremely valuable in many, many directions. Of course, you and I have known one another for the better part of two decades, and I have seen your research and it is a prime example of very important research.

Before turning to Senator Simon, I would just acknowledge the presence in the audience of a group from Open House, a runaway shelter located in Rockville, MD, which includes counseling runaway youths. Over 50 percent of the shelter's budget is based on funding from Maryland's OJJDP formula grant, which has not been received for fiscal year 1986. So they have a special interest in the outcome of this hearing.

Senator SIMON.

OPENING STATEMENT OF HON. PAUL SIMON, A U.S. SENATOR FROM THE STATE OF ILLINOIS

Senator SIMON. Thank you, Mr. Chairman, and I thank you, Mr. Regnery, for staying. I read your statement, which is an eloquent plea for defense appropriations, and then I read an Associated Press story of January 17, 1986, and you may be quoted inaccurately; I do not know. It says,

> Regnery attacked the confidentiality of juvenile courts, their protective philosophy, and what he called ineffective attempts at rehabilitation. He assailed the social welfare mentality that frees juveniles of any moral and legal responsibility for their actions.

Quoting you, "I contend that the system must grow some teeth, perhaps even some fangs, to have the much needed impact on these few chronic juvenile offenders and to begin to stop their crimes."

I guess I come to a basic conclusion, and maybe I am wrong, that you are an able person, but in the wrong slot. Is that an incorrect conclusion?

Mr. REGNERY. A number of people have told me that before, Senator.

Senator SIMON. Do you believe in the programs you are administering?

Mr. REGNERY. Yes, I believe in a lot of the programs that I administer, but I think that there are two different questions you are asking. One of them is whether or not the Federal Government should be involved in these things, which is a question that you all up here have addressed, I think, for the last several months rather ably.

I think that those, as I said before, are questions that are very difficult to answer in these times of Federal deficits. I guess I come at it from two different perspectives.

On the one hand, I am as concerned about deficits as anybody else in this administration. I realize there are some things the Federal Government is doing which it simply cannot continue to do unless the Congress and the President decide that taxes are going to be raised or something else is going to happen, because I do not think that we can continue spending money the way we are and borrowing it from our future and continue with the sort of economy that we want to live under.

On the other hand, as long as we are doing some programs, as long as we do have money, I think there are some things that we can do which will be very effective. Over the last 3 years, I think that we have started a number of effective programs; we have done a number of pieces of research and other things—training and programs of that nature—which have been quite effective.

I do question, though, whether in many of those areas, if the Federal Government were not funding programs they would not be funded by the States instead. I would remind you that the budgets of the States for juvenile justice generally far exceed what the Federal Government spends.

We spend a total of $70 million a year. As I mentioned before, the State of California spends over $150 million alone on its correctional programs for juveniles. I do not know what the total budgets of the States combined are for juvenile justice programs, but my guess is it would probably be $2 or $3 billion.

As I pointed out in my testimony, the States, in the aggregate, apparently have a surplus of over $50 billion in the treasuries, whereas the Federal Government is running deficits of $200 to $300 billion a year.

It is really a matter of priorities, in other words, as to where the money is going to come from to do these things and whether we are going to take the small amount of Federal money that we have and supplement what the States are doing or whether we are going to let the States support those programs.

Obviously, $70 million is not going to make the difference in the Federal budget. But it is one of a lot of different programs that, in the aggregate, will make that difference.

I have equated it many times with something which you have probably talked about as to whether or not one person should vote. One person's vote is probably not going to make the difference as to whether or not you get elected or defeated.

But on the other hand, you want everybody to vote, and I think a program such as ours is in the same category. In other words, in the aggregate, with a lot of other Federal programs, it will make the difference ultimately in our ability to balance the budget.

Senator **Simon**. I share your concerns about the deficit. I voted for Gramm-Rudman. I am cosponsoring a constitutional amendment that is going to come up starting tomorrow to require a balanced budget. But I think you are correct; it is a question of priorities. I think, with your answer, you have really effectively answered my question about whether this is the right slot. You really do not believe this ought to be a priority for the Federal Government?

Mr. **Regnery**. Well, I am not going to sit here and argue that the program should be continued, no. In fact, I am going to take the opposite view that it should be stopped. But on the other hand, as long as it is going, I think that we can do some useful things and I think that the money can be spent well.

Senator **Simon**. You heard Ms. Carlisle talk about the needs there, and $186,000 to set up a course for study of the Constitution. You are not running the National Endowment for the Humanities. How do you defend that kind of a grant while you tell Ms. Carlisle, sorry, we do not have any money for your people?

Mr. **Regnery**. Well, it is not that simple, Senator. It is not a question of telling Ms. Carlisle that we do not have money. That is the process that the administration, OMB, and others have decided upon in terms of the future of our office.

We have had some funds; obviously, we were appropriated funds in 1986 for our discretionary program. As I mentioned to Senator Specter, one of the things that the appropriations committees told us to do was to fund the law related education programs.

The grant to the Center for Judicial Studies is part of that process. We are simply doing what Congress tells us to do.

Senator SIMON. I am sorry I missed that, but were you mandated by the appropriations bill to fund this?

Mr. REGNERY. To spend $1.5 million on law related education. The committees do not tell us what organizations to fund; simply, generally, to fund the law related education program, which is what the Center for Judicial Studies is part of.

Senator SIMON. And this is a course for studying materials on the Constitution. I suppose you can say that is law related. I am sure it is not what the Appropriations Committees had in mind.

But this gentleman you are funding has criticized the courts for using the first amendment to prohibit school prayer. He has denounced as chicanery and judicial activism Supreme Court rulings stating that key protections in the Bill of Rights apply to the States.

Do you agree with him on those viewpoints?

Mr. REGNERY. I agree with him on some things and probably not on others, but I do not make a grant on the basis of whether or not I agree with the grantee on everything that he has ever said.

Senator SIMON. When the Appropriations Committee discussed law related education, I cannot believe they had in mind funding a course from a fellow from Jerry Falwell's Liberty University.

Do you think they had that in mind?

Mr. REGNERY. I do not know what they had in mind. All they said was to fund law related education.

Senator SIMON. Let me ask you, I guess, a fundamental question. I get the impression that you think that Ms. Carlisle and all her cohorts are basically a group of do-gooders; well-intentioned, but ineffective. Do you feel that if we could just hang a few of these juvenile delinquents, we would probably do a lot more good than Ms. Carlisle and all her counterparts?

Mr. REGNERY. I guess I do not really understand your question, Senator. [Laughter.]

Senator SIMON. Well, I thought it was fairly clear, but maybe it was not. Basically I am trying to get back to the question of are you the right man for the job.

Mr. REGNERY. Senator, if you are accusing me of being a conservative, I plead guilty.

Senator SIMON. That is not a problem.

Mr. REGNERY. OK.

Senator SIMON. I have a lot of good conservative friends; a lot of good conservatives voted for me. But I think you can be conservative and also want to do something about crime in this country. I think you can be conservative and also want to save human lives. I think that is part of being conservative, too.

Let me divide my question. Do you really think that Ms. Carlisle and all the people she represents are basically a bunch of do-gooders who are not really doing much on this whole problem of juvenile crime?

Mr. REGNERY. No, I do not think that. I think some of them probably are do-gooders and some of them probably are not, and I think that there are some of them that are probably conservative—in fact, I know there are—and some are liberals. They come from all over the place ideologically.

I think there is a whole variety of different people. Some of them are hard-core anticrime people in the prosecutorial sense; others take the more sociological view. I do not think that they fall into any particular category.

Again, I guess what I said before is that the question is not whether or not they are doing good things. The question is whether or not the Federal Government should be funding those good things.

Senator SIMON. I guess I want as a person who heads your agency someone who really believes in that.

Mr. REGNERY. Believes in what?

Senator SIMON. Believes in the program that you are espousing, for example, Cap Weinberger, the Secretary of Defense; I do not agree with Cap Weinberger, as you may know, on a lot of things, as my colleagues know. I vote against MX and a lot of things.

But Cap Weinberger fights for his program; he believes in it. I do not mean this disrespectfully to you. You are sincere, you are candid, you are able. I just think you are a man in the wrong slot.

I think if this program continues, and I think it should continue, I think you ought to just take a weekend off and say I wonder if I am in the right kind of a position where my abilities can be used as they ought to be used. If you are not then we should get somebody in your slot who really believes in these programs.

I do not think I have any further questions, Mr. Chairman.

Senator SPECTER. Thank you, Senator Simon.

Senator McConnell.

OPENING STATEMENT OF HON. CHARLES McCONNELL, A U.S. SENATOR FROM THE STATE OF KENTUCKY

Senator MCCONNELL. Thank you, Mr. Chairman. I want to commend you for having this hearing and for leadership in this field over the years, and also Senator Simon as well. I think Senator Simon's line of questioning amply demonstrates what I believe Mr. Regnery in one way or another has made clear over the years, which is that he does not feel this is a priority for the Federal Government.

But in the meantime, clearly, the Office of Juvenile Justice and Delinquency Prevention is going to go forward. I do not think Congress is going to eliminate the funds. The delay in spending the money during this period of consideration of the rescission is working considerable hardship, as all of these witnesses have demonstrated in response to the Chairman's questions.

I, too, have a list of problems created in my own State of Kentucky as a result of these delays.

My questions deal, as you would suspect, mainly with the missing children's issue. In the OJJDP report entitled "First Annual Missing Children's Summary" which you are familiar with, you indicated in that report that six separate research projects were funded or would be funded under sections 404(b)(3) and 406(a)(5) of the Act.

I am interested in some detail, if you have it, on what funding has been authorized for these various projects referred to in the report.

Mr. **Regnery**. OK. Do you want to ask me specific questions or do you want me to go through and tell you what has been funded?

Senator **McConnell**. Well, in the report you said that six separate research projects were funded or would be funded under sections 404(b)(3) and 406(a)(5) of the Act. My question is what are you doing in response to that.

Mr. **Regnery**. OK. We have provided $140,000 to the contractor that supports the activities related to the Missing Children's Advisory Board, and that would do a number of other things as well.

We provided $30,000 in an interagency transfer to the Treasury Department for training police officers and other law enforcement personnel in handling missing children's cases at the Federal Law Enforcement Training Center in Georgia.

Senator **McConnell**. Now, these have already been funded?

Mr. **Regnery**. These have already been awarded.

We made a grant of $383,000 to the Institute for Non-Profit Organization Management, which is an organization which trains people that run organizations which deal with missing children in management techniques—how to recruit boards of directors, how to raise funds; how to efficiently run their operation, and so forth.

We have provided $93,000 to Northwestern University for a pilot study on a bigger question that we are dealing with, and that is an incidence survey on the numbers of missing children who are out there. We have not yet made that——

Senator **McConnell**. That has been a big debate this year. When will that study be completed? Do you know?

Mr. **Regnery**. Sorry?

Senator **McConnell**. The incident study on the numbers has been a——

Mr. **Regnery**. Well, that will cost $1 million. We are still in the process of putting that together, working with a number of different organizations to determine just exactly what we should do.

We have another grant which we will be making some time in the next couple of weeks, I believe, of approximately $800,000, which will be a study of law enforcement agencies' policies and practices regarding missing children and homeless youth; that is, how those different agencies handle the question of homeless youth, missing children, and runaways, to find the good programs, and to ultimately be able to give them advice on what sorts of things they should and should not do.

We are working on the grant application for the second phase of the National Center for Missing and Exploited Children, which I believe will be somewhere between $2 and $3 million. I am not sure just exactly what that figure is. The grant will be made some time in the next 3 or 4 months, I believe.

I think we did make a supplement to the first grant in January of about $1 million to the Missing Children's Center.

There are several other projects which are somewhere in the pipeline; that is, in the process of determining who would get the grant and exactly what they would do. There are a couple of research projects on the problems encountered by missing children which we are still in the process of trying to sift through; that is, going through the data that already exists, the research, and so on, to find out exactly what is needed.

Finally, we will be providing about $400,000 to make grants to private, voluntary organizations. Those are the ones I talked about before who are dealing on a local basis with missing and exploited children. We will be making one-time grants to those organizations of up to $25,000.

In addition to that, I guess I should mention we either are making or have made a number of grants to—I think there are about 22—the State clearinghouses which have been set up by States to assist their law enforcement agencies in dealing with the issue.

Senator McConnell. As you probably know, I sponsored a bill which passed the Senate in December to provide a rather limited amount of unspent carryover funds from fiscal 1985 to be allocated for matching grants for the establishment of additional State missing children clearinghouses.

I am wondering what your feeling is about the establishment of those clearinghouses around the country, whether you think that is the sort of thing we ought to encourage and if we ought to encourage it through my bill, which has not passed the House yet.

Are you going to support that bill? Do you support that bill?

Mr. Regnery. I am not sure where we stand on that bill, Senator. I think there has been some dispute within the Department and I am not sure finally where that wound up. Generally, we support the establishment of State clearinghouses. We have found those to be a very effective means of returning missing children, runaway children, and so on, to their homes.

Senator McConnell. Actually, what the bill does, really, is rather than leave it to OJJDP's discretion, I guess, as to which clearinghouses to fund, it makes available, really, to all of the States a limited amount of money, and it is really pretty limited, up to $75,000 each, with a $2 million cap on it, out of carried over funds.

I guess I am not being very clear. If you do not have any trouble giving grants to States for this purpose, why would you have any trouble supporting a bill that would allocate a specific amount of money for that purpose?

Mr. Regnery. Well, since the Department has a rather convoluted process of determining whether we support something, I would really rather provide you later for the record where we stand on that because it is not really clear in my mind at this point.

Senator McConnell. I would like to get answer if not today, at least fairly soon, on whether the Department is going to have a position on that bill.

Mr. Regnery. If there is an answer to be had, Senator, I will see that you get it.

Senator McConnell. OK.

Senator Specter is coming back shortly. I have exhausted my questions, unless there are others around here who want to propound them, and it appears there are not. What I would like to do is ask you—he said he would be back in 10 minutes—if you are willing to stay, Mr. Regnery. I know he would appreciate it.

I am going to briefly recess the hearing and ask all of you to stay because it will begin again as soon as Senator Specter gets back, which will be very shortly.

[A brief recess was taken.]

Senator **Specter**. We will resume the hearing.

Mr. Regnery, just a couple more questions, if I may. The overriding concern which I have is that we are now 5 months into fiscal year 1986 and we have not had funding, as the witnesses have testified, for these juvenile justice programs.

They are being very badly damaged, and what more does the Congress have to do by way of stating its decision to fund these programs than the Congress has done?

Mr. **Regnery**. Well, as I understand the process, Senator, what you have got to do is to either turn down the rescission and return it to OMB or do nothing, at which time the rescission expires in the middle of April.

Senator **Specter**. The rescission expires?

Mr. **Regnery**. It is my understanding that a rescission is submitted to Congress and you have 45 legislative days in which to act on it. If you do not act on it, then the rescission expires.

And if you do, you can go either way, I guess, and I do not know exactly what the process is as far as Congress is concerned.

Senator **Specter**. Well, both Houses have to agree to the rescission. Now, when you have the Senate unanimously deciding on December 19 that they are opposed to a rescission by stating that they are opposed to the informal freeze, what more does the Senate have to say to be heard?

Mr. **Regnery**. I do not know. I guess you should probably ask that question of the general counsel of the Senate or the Office of legal counsel of the Justice Department. I really do not know. It is a legislative issue that I cannot address.

Senator **Specter**. Well, Mr. Regnery, I think you do know. I am not prepared to accept that as an answer under any circumstance. I think you do know.

Mr. **Regnery**. Well, Senator, I have been advised that if I were to sign grants and to spend money that I would be in violation of the Anti-Deficiency Act, and I am not prepared to do that. If someone can advise me otherwise, that is fine.

Senator **Specter**. I am not telling you what to sign, but I am objecting in as strong a language as I can without being loud about it. When you say you do not know what the Congress wants, I just cannot accept that.

I know you are in a difficult position. You are charged with the responsibility to preside over the abolition of the Office of Juvenile Justice and Delinquency Prevention, and I do not envy you your position.

You and I have known one another since you were on Senator Laxalt's staff, and I presided at the hearings where we took up your qualifications and participated in those proceedings. You are given the unenviable job of presiding over the abolition of a department which the Congress has said ought to be maintained.

But I think you do know that the Senate is not going to agree with this rescission request because the Senate has already said so on December 19. And you do know that there are 49 Senate cosponsors to my resolution to disapprove the rescission request.

This record is replete with just a blatant action on the part of the executive branch to thwart congressional will and to thwart the law. I mean, that is exactly what the conclusion is here.

When you say you are not in a position to interpret the law, that is not acceptable from the point of view of this Senator as chairman of this subcommittee. I know that you do not control the situation; I understand that full well.

But the message that this subcommittee and that the Senate has already given to the executive branch is that the Senate has spoken on the programs of juvenile justice and delinquency prevention.

We say you ought to get on with the funding because, through tactical maneuvers, you are crippling the program in an illegal way, in an unfair way. There are a lot of children out there who depend on these programs, and you know very well what the Congress has to say about this $70 million appropriation, and that is get on with the job of administering the program.

There is no way we can say it more plainly than the way we have said it. There is no other language we can use. You cannot get a resolution through the Senate on December 19 by unanimous consent if one Senator objects. All one Senator has to do is stand up and say I object, and nothing happens.

On December 19, only the most urgent business gets by the U.S. Senate. You know that as well as I do, and I filed the resolution on the 18th and not one Senator would object on the 19th.

We said go ahead with the program, and we are very troubled, really livid, with the informal freeze. You say it occurred for 2 or 3 days. I think the facts at this hearing show that it has gone on for 5 months, not 2 or 3 days.

I do not think you can have a little freeze, like you cannot be a little pregnant. A freeze is a freeze, and it is not a 2- or 3-day freeze. Any factfinder would have to decide that it has been a 5-month freeze, not a 2- or 3-day freeze.

Mr. **Regnery**. Well, Senator, I disagree with you that there is a 5-month freeze, and I disagree with you that we are doing anything illegal. I think we are doing exactly what the law prescribed.

I certainly know exactly what the Senate has said about this program since 1982, and that is that the Senate and the House, too, want it to continue. You voted our appropriations and you voted a continuation of the statute in 1984.

Nevertheless, the Budget Act does include a provision—a budget act which I guess was passed at some time or other by the Congress—to allow the administration to ask for a rescission of funds.

What we did was to do precisely what the Budget Act allowed us to do, which includes a provision that when the rescission is requested, as you know, the funds cannot be spent.

The funds are, in fact, now frozen; you are right, and that is pursuant to the law, to the Budget Act which was passed by the Congress and signed by the President somewhere back whenever it was.

In fact, that says that no money can be spent until Congress acts one way or another or until the 45-legislative days expire. And at that time, I can tell you that my office now is in the process of working through grant applications that are in, and in the event that the time expires in April or whenever it is, or in the event that the Congress disallows the rescission, however that happens, we will be prepared to sign grants and to get money out the door.

On the other hand, if Congress goes the other way, we will be prepared to shut the office down, as is prescribed by statute as well.

Senator **Specter**. Mr. Regnery, that, simply stated, is not a good-faith representation. Do you think that there is 1 chance in 100 million that the Congress is going to approve the rescission?

Mr. **Regnery**. I have no idea what Congress is going to do, and I do not expect anybody else does either, until it happens, Senator. There are lots of things, as we both know, that are brought up in the Senate and the House of the United States that have no chance of passing whatever, but that does not deter people from bringing them up.

Senator **Specter**. Well, Mr. Regnery, on the note that you have no idea about what is going to happen, I do not think I have any further questions for you.

Ms. Carlisle, would you care to expand your testimony at this point?

Ms. **Carlisle**. Yes, I would; thank you very much.

I would like to start by, first of all, thanking you and the members of this subcommittee for the support you have provided for juvenile justice. Without that support, this program would not exist, and we are most appreciative. I would also like to state for the record that I am a volunteer.

The Juvenile Justice Act has provided for a partnership between Federal, State, and local government. This partnership has worked effectively for 11 years and it is now jeopardized.

You have just been told by Mr. Regnery that the Juvenile Justice Act has accomplished its original purpose; that it has benefited only State government; that the States would continue to support these projects regardless of Federal assistance; that the States will continue their commitment to the mandates of the act without juvenile justice funds; and that the States really do not spend much money trying to meet the mandates of the act.

I would disagree with every single one of those statements. I have talked to people from 30 different States; they are unanimous in what they say about this program. The act has accomplished a great deal. It is one of the most effective Federal programs.

Without the act, progress will cease. We will revert back to the dark ages, and that is a quote from several different people in several States, including judges. We will lock everyone up regardless of what they have or have not done.

The Federal Government does have a critical role to play. It is not just a funding role; it is also a leadership role in direction. It enables us to try to provide justice to juveniles across the board, not just justice by geography.

States absolutely cannot continue these programs without their 1986 and 1987 funds. The mandates of the act will not be met, particularly jail removal. In addition, there will be backsliding.

There are always bills before legislatures trying to take back what we have done with the act. Those things will be rescinded without the community-based alternatives that are started with juvenile justice funds.

These programs are picked up by State, local and private sources of funding, if they have time and if you can plan for that. Right now, States are fighting to maintain the programs they have. They simply will not be able to pickup any of these juvenile justice programs.

I am talking about programs that affect hundreds and thousands of juveniles in this country and, in terms of policies and legislation that is passed in the States, actually affect every child.

We are talking about States where they lock up 4-year-old children. The only group out there in that State, which is Idaho, that is doing anything about that is the State advisory group, and it is using its juvenile justice funds to do it.

Now, in a lot of cases, the States will commit themselves to providing the matching money and they will offer some support, but that State has not yet reached the point where it is willing to pass legislation that will prevent 4-year-old children from being locked in jails.

You will lose this advocacy group. You, yourself, Senator, said that children do not have a paid lobby. They do not have a PAC; they do not have any of those things. They have people like us who come before you and try to explain why you need to fund these programs to prevent and treat delinquency.

We are concerned about crime; we are concerned about budget deficits. If you want to deal with crime, you work with kids and you try to prevent them from going any further. Better yet, you try to prevent them from entering the system.

Mr. Regnery questions the use of spending money for prevention. The title of the act is the Juvenile Justice and Delinquency Prevention Act.

Pennsylvania has been trying for a number of years to establish an information management system on a statewide basis. The State advisory group funded a demonstration project, using juvenile justice funds, in one county which was—extremely effective. The other counties want to buy into that.

Philadelphia wants to buy into that, and, from what I can gather, Philadelphia has historically been reluctant to be involved. Without Juvenile Justice funds a statewide system will not be developed.

Senator SPECTER. Ms. Carlisle, will you conclude in the next sentence or two, please?

Ms. CARLISLE. Yes, I guess the main thing I would like to leave you with is that if you are concerned about juvenile delinquency and continuing these programs, we have to have the Federal money. The States cannot do it by themselves.

[Prepared statement and letter follow:]

PREPARED STATEMENT OF A.L. CARLISLE

Mr. Chairman and Members of the Subcommittee:

Thank you for inviting me to appear before you today. I appreciate the opportunity to thank all of you, in person, for all of your efforts to ensure the continuation of the Juvenile Justice and Delinquency Prevention Act. The leadership and support of this Subcommittee has been crucial to the effectiveness of the Act. As Chairman of the National Coalition of State Juvenile Justice Advisory Groups, I am pleased to have the opportunity to share, with you, some of the accomplishments of the states under the Act and the impact on the states of the freeze on FY 1986 Juvenile Justice funds and the President's request to rescind those funds.

The JJDPA provides for a partnership between the Federal, state and local governments. The Federal Government provides leadership, direction, assistance and some resources to assist states in meeting the mandates of the Act and in improving their juvenile justice systems. States, in turn, contribute their own resources to continue effective projects begun with JJDP funds and to implement needed changes in their systems. States also provide leadership and direction, often through their State Advisory Groups, which are responsible for developing and implementing comprehensive statewide plans, coordinating state juvenile justice efforts, distributing JJDP funds and advocating for new and expanded services for juveniles and improvements in the juvenile justice system. Decisions on the use of these funds are based on priorities established by the State Advisory Groups in their plans. Over one-half of the members of a State Advisory Group, including the Chair, must be private citizens, i.e., not employees of Federal, state or local governments. SAG members must have experience in the field of juvenile justice or fields related to juvenile justice. Because of their experience and location in different areas of their states, they bring with them the concerns, problems and issues of their local areas, as well as their broader experience within their own areas of expertise--state youth-serving agencies, private non-profit agencies, schools, courts, corrections, businesses, etc. Decisions, in regard to planning and funding priorities, are based on each SAG's assessment of the needs within its own state. This flexibility enables each state to fulfill the intent of the Act in the way most suitable for it.

This partnership, which has worked effectively for 11 years, is now in jeopardy. With the Administration's request to rescind the FY 1986 funds, states find themselves in a difficult, if not impossible, position. With no warning at all, the FY 1986 funds were put "on hold" or "frozen" the day the

President signed the appropriations bill. States were unofficially informed, in turn, that there was a freeze, that there was not a freeze, that partial awards would be made, that no awards would be made. This conflicting information came from both the Office of Juvenile Justice & Delinquency Prevention and from the Department of Justice. States were not officially informed, in writing, until February 12, when the Administrator of the Office sent states a letter saying that "FY 1986 Juvenile Justice Act funds are currently being withheld, at the direction of the Office of Management and Budget, pending a decision on a formal rescission request contained in President Reagan's FY 87 Budget".

Formula Grant funds, which are those funds awarded to the states, were frozen in December, and none of those funds has been awarded. Some OJJDP funds, however, were excluded from the freeze. Excluded funds were funds for about six discretionary projects, funded with special emphasis funds; funds for the nonparticipating states; and some "emergency funds". It is not clear why funds for nonparticipating states were not frozen, while funds for participating states were. It is also not clear how much money was left unfrozen for "emergencies" nor for what purpose those funds will be used. A decision was evidently made to honor some commitments to some projects but not to honor commitments to the states. Many states had submitted their plans to the Office for approval in the Fall, before the appropriations bill had even passed. The Office could have recognized its commitment to the states by awarding at least partial allocations to those states whose plans had been submitted and approved.

The freeze is causing extreme disruption to the states. Five months of the fiscal year have already passed. By the time states find out whether or not they will receive their FY 86 funds, another month or two will have passed. When states actually receive their funds, assuming the rescission request is not approved, it will be too late for many projects, which are already cutting back or eliminating programs. The freeze has also affected the planning and funding processes by delaying planned activities and the start of planned projects. This freese and rescission request happened so suddenly and so unexpectedly, there was no opportunity for state and local governments or private funding sources to assist in or assume funding for these projects. In light of Gramm-Rudman, states will not have the capability to assume the costs of these programs.

In Alabama, most of the projects funded by JJDP funds are laying people off, cutting back services and borrowing money to continue operation at a reduced level. If Alabama does not receive its funds, or assurance that it will receive its funds, by the middle of this month, all of its JJDP programs, which serve over 6000 youth, will end. Among those programs are 27 residential facilities, serving 368 juveniles. If these facilities close, the juveniles will either be "turned loose" or placed in detention facilities or adult jails. There are no other facilities available. To think that the state will be able to assume the additional costs of these programs is ludicrous. Alabama estimates it will lose $56 million in Federal funds with the first round of Gramm-Rudman. Without the alternatives to institutions, status offenders could, once again, be placed in jails because there is no other place for them. Removing juveniles from jails will become impossible.

Virginia will lose 15 programs June 30th if its FY 86 money is not received. All its programs will end by September if no more JJDP funds are received. Virginia has passed enabling legislation to require the removal of juveniles from jails but has not appropriated the money to implement the legislation. Instead, the state was relying on the FY 86 and FY 87 JJDP funds to demonstrate that community-based alternatives to jails will work. The state would then begin to assume the costs of these programs on a phased-in basis. If the alternatives cannot be provided, the legislation may be rescinded. In order to begin these programs as planned, Virginia needs to know now, if the money will be available. The development of community-based programs takes a great deal of time, effort, cooperation and coordination by many people and agencies. The groundwork can take years. If, when all the pieces are finally in place, the funds which were promised are no longer available, the entire process will collapse. Without the FY 86 funds, states will be unable to fulfill their commitments.

In Massachusetts, four projects ran out of funds at the end of December. Of these four projects, two are no longer operating, one has received a loan from Community Chest to carry it for a few months, and one is operating at a greatly-reduced level by borrowing funds from other programs. Four projects ended February 28, and four will end March 31st. These projects include family-network projects, school projects and substance abuse prevention projects, and they serve thousands of young people. One of these projects alone affects 4000 youth. All but one of Massachusetts' 21 projects will end by June 30. There is no state money available to continue these projects. Massachusetts also needs its administrative money no later than May 3, in order to continue the juvenile justice staff necessary to manage the JJDP funds. If the staff were to take the vacation time owed them, their funds would be depleted now.

In the State of Washington, all 12 JJDP-funded projects reached the end of their current contracts February 28. These projects, which include substance abuse prevention, prevention and treatment of sexual abuse, foster care services and training and high-risk offenders, serve about 5900 youth and provide training to 250 professionals and volunteers. By using every available source of funds, it is possible to continue these projects until April 30th. After April 30th, there will be no money. Washington needs its money, in hand, not on paper, by April 30th, if these projects are to be continued. One of these projects, begun last year, treats sexually-abused boys. If the money is not received by April 30th, staff will be terminated and services discontinued. Parents and children will be notified that treatment will cease. It will not be possible to refer the children and families to another program. There isn't one. This project has been unable to obtain an emergency loan, and it is too new to have had any opportunity to acquire funding from other sources. New projects, approved for funding to begin operations March 1, will obviously not begin.

Kentucky is in a similar situation. Funds were found to continue 11 projects, which would have ended March 31, for a few more months. However, on June 30, 26 projects will end; on August 31, one project will end; on September 30, 27 projects will end; on December 31, six projects will end; and, on January 31, 1987, one project will end. There are no funds available to continue these projects.

If Maine does not receive its FY 86 funds, all of its projects, including its pilot jail removal projects, will end. Two of the three staff positions, which support the State Advisory Group, would be eliminated. There are no other funds available to continue these projects at this time. Arkansas has ten jail removal projects ready to begin, as do a number of other states. Many states have flatly stated that the freeze on funds has made it impossible for them to meet the deadline for removal of juveniles from jails. Other states have said that, without the FY 86 funds, the jail removal initiative in their states will slow down or completely end. Most of the projects in all the states will end if the FY 86 money is not received.

In order to receive JJDP funds, states must develop a three-year comprehensive plan. These plans include goals, priorities and implementation strategies. Programs are funded on the basis of these state plans, and grants are often awarded for 18-month to three-year periods, since it usually takes at least that long for a program to prove its effectiveness and find other sources of funding. Even grants awarded for one year are often awarded with the understanding that continuation funding will be necessary and will be available. Without such assurances, programs would never be developed, because it is impossible to prove their worth and obtain continuation funding within a year. JJDP-funded programs have a high percentage of being continued by state, local and/or private sources of funds. Obtaining other sources of funding takes time. With this freeze and rescission request, there has been no time.

State Advisory Groups often make agreements with other State agencies or private providers of services to share the costs of beginning new programs, with state and local agencies gradually assuming complete costs. These agreements are not quickly negotiated nor are they quickly fulfilled. Most states are currently implementing the second year of their plans and are, therefore, in the middle of many activities. Agreements were made in good faith. If they are not fulfilled, the likelihood of future agreements is slim.

Implementation of the Act requires systems changes on many levels. Such change, if it occurs, comes slowly, and it can take a number of years. For example, Pennsylvania has been trying for a number of years to establish a statewide management information system. The State Advisory Group funded a demonstration project in one county, which has proved to be very effective. Other counties, under pressure to automate, are interested in using the same system so that all computers and software are compatible. Even the city of Philadelphia, which had previously been reluctant to become involved, has evidenced an interest in being part of a statewide information system. The FY 86 funds were to be used to assist in the effort to make all information systems compatible. Without some resources and a coordinated effort, possible through the use of JJDP funds, each county may develop its own system, which might not be compatible with the systems of other counties. Pennsylvania has other regional and statewide programs ready to begin, which will not be funded without JJDP funds.

In order to ensure the most effective use of Federal funds, states have developed careful grants award and review procedures. Many states request proposals to provide specific services. Several states, among them Tennessee, Vermont, Georgia and New Jersey, have delayed requesting proposals because of the uncertainty of FY 86 funds. These delays will result in comparable delays in actually awarding funds and beginning planned programs. Deadlines, including those mandated by the Act, will be difficult, if not impossible, to meet.

Some people in the Administration have stated that the states will continue their efforts in regard to the Act and the funding of programs and that no further contribution from the Federal Government is needed. This statement is not true. The examples above from a sampling of states make it clear that states simply do not have the resources to continue these programs at this time. Chances are that existing state-funded programs will be reduced or eliminated because of Gramm-Rudman. Without the resources of the Federal Government, small though they may be, the entire JJDP effort is jeopardized.

Some people in the Administration say that the goals and the mandates of the Act have been achieved, and, therefore, the Act is no longer necessary. This statement is also not true. While progress has most definitely been made, the goals and mandates of the Act have not been met.

Participation in the Act is voluntary, and the 52 states and territories, which currently participate in the Act, have made a commitment to meet the mandates of the Act. There are 43 states and territories in compliance with the deinstitutionalization mandate of the Act. More information is needed from five states to determine if they are in compliance. Two states have been found not in full compliance, and one state is not in substantial compliance. One state must demonstrate progress, which it has done. There are 33 states in compliance with the mandate to separate juveniles from adults. Ten states are making progress, and more information is required to make a determination on six other states. One state is making progress but must demonstrate compliance, and two states are making no progress. Data on the jail removal mandate are not yet available, since states will not begin to report this information until their 1986 monitoring reports.

It is important to point out that these figures are based on the monitoring reports from the states, which, under OJJDP regulations, allow for certain exceptions. The allowable exceptions--juveniles held in jails under six hours, status offenders held under 24 hours, juveniles held outside a Standard Metropolitan Statistical Area--are not counted for purposes of monitoring reports. Even if all states were found to be in compliance with all the mandates, it does not necessarily mean the intent of the Act would be fully met. The above information indicates that we still have much to accomplish. There are still status offenders being held in jails and institutions. There are still some 240,000 juveniles detained in our jails every year, and many of those are not separated from adults. We cannot stop our efforts now.

The Act is broader than its mandates. It also includes prevention, specific activities and programs, coordination of juvenile justice efforts at all levels of government, improvements in the juvenile justice system itself. These efforts are ongoing. Change does not come easily or quickly to bureaucracies or systems. It takes a long time to establish credibility with the number of entities involved in and with the juvenile justice system and to institutionalize new approaches. Until such time as juvenile delinquency is no longer a problem, the Act will be needed. Only with the concerted efforts of Federal, state and local governments and only by working with juveniles to prevent them from entering the adult criminal justice system or, even better, the juvenile justice system, will we ever make an impact on crime in this country. The Juvenile Justice and Delinquency Prevention Act remains our most effective mechanism for reducing juvenile delinquency and improving the quality of justice for juveniles.

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March 27, 1986

The Honorable Arlen Specter, Chairman
Subcommittee on Juvenile Justice
331 Hart Senate Office Building
Washington, D. C. 20510

Dear Senator Specter:

Thank you very much for inviting me to testify before your Subcommittee on Juvenile Justice on March 5th. I appreciated the opportunity to share with you and the members of your Subcommittee the impact on the States of the freeze on and proposed rescission of FY 1986 Juvenile Justice funds. I also appreciated your efforts to ensure that I would be able to attend the hearing.

I would like to respond to several statements made by Mr. Regnery in his testimony. Mr. Regnery states that, in response to the "seening lack of concern" by the President, the Attorney General and him for the welfare of those served by OJJDP, he would like to "point out that the President must be concerned with the welfare of all Americans". I would suggest that the JJDPA is concerned with the welfare of all Americans. Crime is a major concern of the citizens of this country. If we are ever to have an impact on the crime problem, we must deal with juveniles. We must do everything possible to prevent and treat juvenile delinquency so that fewer juveniles become adult offenders.

The JJDPA directly affects hundreds of thousands of children and youth and indirectly affects every child and youth in this country. The laws, policies, procedures, and programs available in each State dictate that State's response to its young people. They determine what activities are considered delinquent, what the punishment will be, at what age a child is considered an adult or what offenses contitute treatment as an adult. They also determine which young people will come under the jurisdiction of the juvenile justice system. The Act has had a great impact on the laws, policies, procedures and programs of the States. In response to the Act, States have deinstitutionalized status offenders and/or decriminalized status offenses; they have required the separation of juveniles from adults in institutions; they have developed objective detention criteria; they have required the removal of juveniles from jails or placed tight restrictions on when juveniles may be held in jails; they have established community-based programs; they have mandated the use of the least restrictive appropriate alternative; they have recognized the importance of working with and providing services to families; they have recognized the need to provide specialized training to those who work with young people. As the criminal codes of the States affect all adults in terms of what is legally permitted or not permitted and what the consequences will be, so, too, do the juvenile codes affect all children and youth. Because of the impact of the Act on the juvenile codes and practices of the States, the Act affects all children and youth, as well as their families.

Mr. Regnery goes on to state that "those programs that can only be carried out by the Federal Government--those for the Nation's defense, for the protection of the poor and the elderly,...were adequately funded". I would submit that children should be protected, too. They are incapable of caring for themselves and are dependent on adults to care for them. The number of poor children has steadily increased during this Administration. Poor children are disproportionately represented in the juvenile justice system. Do we not owe all children, including those in the juvenile justice system, support and protection? The Federal Government became involved in children's issues when it became apparent that not all states were equally committed to providing equal access to educational opportunities, protection in cases of child abuse and neglect, health, safety and program standards for out-of-home placements, appropriate treatment for status and nonoffenders and juvenile offenders. The Federal Government has recognized its role in establishing national standards, providing critically-needed resources for programs and ensuring some basic level of care for children, regardless of the State in which they reside.

Mr. Regnery also states that "Other programs, particularly those that have accomplished their original purpose, that could be better operated by state or local governments, or that could be supported by the private sector, can no longer be supported by Federal funds". He then says "This Administration believes the programs of the OJJDP fall into this latter category". The Act has not achieved its original purpose. Juvenile delinquency continues to be a problem and a major concern. There is a tremendous amount of work still to be done to prevent and treat delinquency. In addition, the mandates of the Act have not been met. That fact is apparent in Mr. Regnery's own testimony and in the report I believe he included with his testimony. The JJDP program is operated by State and local governments in partnership with the Federal Government. Decisions are made by private citizens and State and local officials, all of whom serve as volunteers on State Advisory Groups. Programs funded by JJDP funds cannot be totally supported by the private sector. Many programs started by JJDP funds are continued by a mix of State, local and private funds. Not one of these sources could support all these programs by itself. I think it is clear from my testimony that programs and activities currently supported by JJDP funds will not be continued.

Mr. Regnery and others in this Administration seem not to recognize the impact that Gramm-Rudman will have on the States. Most States will have enormous difficulty just maintaining current programs. They will not be able to assume the costs of additional programs.

I have requested from Mr. Regnery (please see copy of letter enclosed) the basis for his statement about the percentage of funds spent by States for various programs as they relate to the Act. I believe this statement to be inaccurate and misleading for the reasons outlined in my letter.

To my knowledge, Mr. Regnery has not asked the States if they will continue their commitment to the mandates of the Act or if they will continue to fund these programs. I do not know the basis for his assertion that the States will continue their efforts related to the Act. Based on information I have received from people in the States directly involved with the administration of the JJDP program and in close touch Offices of Governors, State Departments and Legislatures, both statements are inaccurate.

As you will note, I have also asked Mr. Regnery for clarification of his statement that he received an "apportionment document" from OMB on January 7th and that that document necessitated a "freeze" on Juvenile Justice funds. On January 9th, Maine's Juvenile Justice Specialist was informed by Marilyn Silver of OJJDP that Maine would receive its notice of award no later than January 17th. (Please see enclosed copy of letter of confirmation.) On January 15th, I was informed by Emily Martin, Acting Director of the State Relations and Assistance Division, that she had been notified by Mr. Regnery that morning that OMB had "put a hold" on Juvenile Justice funds because of the proposed rescission request and that if he, Mr. Regnery, were to sign any grants, he would be in violation of the Anti-Deficiency Act. Mr. Regnery did not notify the States until February 12th that FY 86 funds were being held up until Congress acted on the rescission request. It seems to me that much confusion could have been avoided if Mr. Regnery had notified both his staff and the States of the status of FY 86 funds on January 7th.

I am also enclosing a copy of the letter I wrote Assistant Attorney General John Bolton, as well as the response from Mr. Regnery to my letter referred to above. You will note that Mr. Regnery did not answer any of my questions nor did he provide any of the information I requested.

I realize this letter is a lengthy one. However, I am becoming increasingly concerned about inaccurate and misleading statements being made to justify the proposed elimination of the OJJDP, particularly when those statements are being made by the Administrator of the OJJDP.

Thank you again for your continued support and leadership in regard to the JJDPA. If I can provide you with further information, please let me know.

Sincerely yours,

A. L. Carlisle

A. L. Carlisle, Chairman
National Coalition

Senator SPECTER. Thank you very much, Ms. Carlisle.

Professor Wolfgang, do you have anything you would like to supplement with?

STATEMENT OF MARVIN E. WOLFGANG

Dr. WOLFGANG. Well, I just would like to be a little more specific and expand for a moment on the longitudinal studies.

Because there is widespread agreement that the only method appropriate for the determination of delinquent and criminal career parameters such as the age of onset of criminal behavior, behavioral antecedents of criminal behavior, the seriousness of developing criminal careers, the effects of various interventions on subsequent criminal and delinquent behavior, early behavior of delinquency that relates to adult criminality, the timing of intervention, especially as related to the aging process, early childhood and youthful experiences and their relationship to delinquency and crime, and the prediction of subsequent criminal activity from prior behavior, and so on—the only method is to pursue these criminal policy and intellectually relevant concerns by means of long-term longitudinal studies.

Regardless of the method, attempts to supply this kind of knowledge from less expensive and time-consuming techniques have been inadequate. The birth cohort studies—that is, studies dealing with persons all born in the same year and followed subsequently throughout their aging process—have been shown to produce the only truly valid behavioral links overtime that permit strong causal statements and inferences related to policy that decisionmakers have to make.

This work was primarily and first undertaken at our center at the University of Pennsylvania, and OJJDP, as I mentioned before, has been supportive of the research, and even Mr. Regnery did support it orally this morning.

If the OJJDP were not in existence, I have serious doubts that any other agency, such as the National Institute of Justice that Mr. Regnery mentioned, could possibly pick up the research tab that we have for 1986.

There are no private foundations around that are willing to pickup a tab the Federal Government has dropped.

We are in the process of interviewing approximately 2,000 persons out of our 30,000 members of the research born in 1958. It is the only study of its type and magnitude that is now underway in the United States, and funding loss for this project would bring to an end not only the crucial fieldwork on crime causation, intervention effectiveness, childhood experience and delinquency; it would also bring to a halt the extensive analyses that we have yet to perform on the existing data.

In short, just as we are approaching the completion of the largest and potentially most useful attempt ever undertaken to resolve many of these issues, the last and smallest proportion of the funding that is now under debate would, if withheld, result in the complete shutdown of the project and the loss of what I think would be its most valuable products.

That is my particular concern about research, but I would like to make it clear that I am fully supportive of my cowitnesses who are working in the field and are basing many of their activities and decisions on research that has preceded those activities.

Thank you.

Senator SPECTER. Thank you very much, Professor Wolfgang.

If I seem a bit preoccupied at the moment, what I plan to do—when we finish here there is a lull in the action on the floor—I am going to go to the floor and tell my colleagues what has happened in this hearing and see if we cannot get the resolution of disapproval up and out so that we can get this funding process on.

I believe that if one House acts to reject the rescission, that is that. We are checking the fine point on that.

But let us hear whatever you care to supplement, Mr. Mathis and Mr. Dickson.

STATEMENT OF DONALD W. MATHIS

Mr. MATHIS. Thank you, Senator Specter. I am really pleased to be here. As a native Pennsylvanian who was raised and educated in Pennsylvania, even though I am in California now, I want to thank you for your years of leadership for the kids that I work with now in suburban Los Angeles.

Senator SPECTER. Where are you from in Pennsylvania?

Mr. MATHIS. I went to Cheltenham High, class of 1965; East Stroudsburg State, class of 1969, and I worked for the Schaap administration several years ago. So I have lived in many communities of the State, and my family is there and they strongly support your efforts. I have been able to educate them due to some of the leadership that you have had in the Philadelphia area.

Senator SPECTER. Very good. [Laughter.]

Mr. MATHIS. I thought that would please you.

I came 3,100 miles today at my own expense to testify, and much the same as Mr. Regnery has to clear things through OMB, I had to go through my Los Angeles County supervisor and I sent a packet of information over to Supervisor Ken Hahn, who has been a strong supporter of juvenile justice programs, and his question and charge to me was, find out who is in charge of this and who has got the money.

I welcome the earlier comments and questions that you posed to Mr. Regnery; that is, when Congress appropriates, what is it that enables the administration to prevent the expenditure of program funds from happening.

I have some prepared testimony I would like to submit for the record, and rather than run through that, I would just like to comment on a few of Mr. Regnery's statements, which I also understand support the administration's position. He cannot be the sole speaker for those, but his arguments just puzzle me.

OMB says he can speak; he says he cannot speak, but he is willing to sit here and speak for 50 Governors and say once the funds are defunded federally, the States will pick them up.

California is one of those States that enjoys a surplus; it is about $1 billion, which is going to go mostly to education and maintaining programs. Whether that $1 billion remains after rounds 1 and 2 of Gramm-Rudman seems highly unlikely.

In terms of what is happening in California, this year Governor Deukmejian, who is a strong conservative and a strong Republican, has started a gang suppression program, with $750,000 of State funds to go to community-based agencies to work against gang problems, which is a real problem in my area of LA.

This State-funded initiative happened because OJJDP Federal funds started that program. It is now a dollar-for-dollar match. I would also mention that in the California Legislature, both the assembly and senate each year, there is a bill which seeks to lock up and institutionalize status offenders.

In each one of those bills, there is a sentence that says to the effect "unless this conflicts with Federal law or statute." If this Federal JJDP Act is dissolved, we will start locking those kids up again.

To get back to my response to Mr. Regnery, I am pleased to read his statement this morning and other articles which he has authored, specifically—"Getting Away With Murder: Why the Juvenile Justice System Needs An Overhaul."

Mr. Regnery offers quotes from Rousseau and we get quotes from Jefferson. What I want to know from either Jefferson or Rousseau, is what does my program do with a 13-year-old kid who comes in strung out on PCP who has been sexually abused by her father for 10 years? That is what the OJJDP money provide services for.

Our program serves 350 to 400 kids each year. The rearrest rate is 30 percent. That means 70 percent of the kids that our program sees in a very, very tough area of suburban LA never get rearrested. We have 38 gangs, and this money is absolutely essential in helping our communities solve our problems.

In response to your question about OJJDP funds, the Federal OJJDP money is 16 percent of my budget for my program in Centinela Valley. OJJDP funds are the glue that enables me to get the State funds, the county funds, and the private funds.

If the Federal mandates are dissolved and the funds are pulled, my program is dead, and there are hundreds of kids in my area that will be a social expense to this Nation, as Senator Denton eloquently pointed out. We need this program, and I thank you for your support and leadership.

[The prepared statement follows:]

PREPARED STATEMENT OF DONALD W. MATHIS

Good morning, Mr. Chairman, and I thank you for this opportunity to testify before the Subcommittee on Juvenile Justice on the need to maintain and strengthen the federal role in services to our nation's troubled youth and families. I especially want to commend you, Senator Specter, for your exemplary leadership in chairing this Subcommittee and for your diligence in protecting America's youth, families, and communities. Indeed, all of the distinguished Members of this Subcommittee have provided many years of outstanding work with juvenile justice and delinquency prevention legislation, policy, and oversight.

I am Donald W. Mathis, acting project coordinator of the Centinela Valley Juvenile Diversion Project in Los Angeles County, California. This project is administered by the City of Inglewood Police Department. Prior to my current position, I was the associate director of the National Network of Runaway and Youth Services in Washington, D.C.. From 1984 through this past January, I served as co-chair of the Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention. My testimony in support of the success and continuation of the Juvenile Justice and Delinquency Prevention Act (JJDPA), Mr. Chairman, reflects my 15 years experience as a community volunteer, project administrator, and program advocate for services to children, youth, and their families.

Mr. Chairman, my testimony in support of the JJDPA focuses on the following three major facts:

- JJDPA funds and legislative priorities directly help troubled youth and their families, law enforcement systems, and units of government in California and in states and communities across America.
- The federal investment of Office of Juvenile Justice and Delinquency Prevention (OJJDP) formula grant funds to states is cost-effective in both the short and long term. The modest investment of $70.2 million for the overall JJDPA leverages many millions of other public and private funds and resources to address the problems of juvenile delinquency and youth crime.
- The Reagan Administration's arguments for defunding and dismantling OJJDP are specious and dissolve under careful scrutiny. In fact, most state and local OJJDP funded projects embrace and adhere to many of the public policy themes offered by this Administration.

JJPDA Funds Work Well in Helping Youth, Families, and Communities.

Everyday, Mr. Chairman, I see the positive effects of OJJDP funds in the community where I work, the heavily-populated Centinela Valley area of Los Angeles County. Parenthetically, in previous jobs I have had, I also have seen firsthand the value of these funds with the Alabama Department of Corrections facility in Mt. Miegs (AL), the Lexington Fayette Division of Children's Services (KY), Cincinnati's New Life Youth Services program, and the Youth Resources Center in Hyattsville (MD).

The Centinela Valley Juvenile Diversion Project (CVJDP) receives $22,559 of OJJDP formula grant money which is administered by the California Office of Criminal Justice Planning. Last year these funds provided psychological counseling, parent training, truancy abatement, remedial education, and other much-needed services to more than 100 troubled youth and their families who had been referred to the project by juvenile court, probation, police departments, the schools, and other social service agencies.

CVJDP's goal is to prevent delinquency by providing youth with skills and opportunities to make positive contributions to their community, and by providing our communities with alternatives to processing early offenders through the criminal justice system. Last year, we provided services to 358 youth and were able to obtain service for another 713 youth and families at no cost to the project.

Juvenile delinquency and crime are severe problems in the Centinela Valley, which includes the cities of Inglewood, Lawndale, Hawthorne, Gardena, and Lennox. Of the 358 youth served by CVJDP last year, 224 (62%) had arrest records for 187 felonies and 126 misdemeanors. The police departments in the respective cities have identified at least 38 youth gangs that engage in crime.

A substantial number of these youth come from poor and/or single parent families. 30% have no working parent. A majority of the youth (57%) come from homes where there is a single parent or no parent. Only 15 (4.1%) of the youth we served came from families having any applicable insurance to pay for the kinds of mental health/counseling services needed either by the youth or their family. Few of these covered the full cost of service.

Mr. Chairman, this past summer I had the privilege of doing a workshop before the California Peace Officers Association. At that time, I learned that the cost of constructing and maintaining one secure detention cell for one year in California was $90,000. For $90,000, CVJDP could serve well over 300 youth.

Although OJJDP funds constitute only 16% of CVJDP's annual budget, these funds are absolutely essential to the continuation of my program, and indeed, to more than 90 municipal and community-based agencies throughout California. Historically and at present, OJJDP formula grant funds continue to leverage other public and private funds for juvenile justice and delinquency prevention services. For example, under California's "County Justice Subvention Program" (Assembly Bill 90), CVJDP receives $92,448 in state funds. This state program was specifically established to augment funds and support the mandates of the federal Juvenile Justice and Delinquency Prevention Act.

OJJDP funds also help leverage private dollars for CVJDP, ranging from the United Way to the Hollywood Park Racing Charities to the local Kiwanis and Optomists Clubs respectively. My experience has proven to me that the private sector will contribute to juvenile justice and delinquency prevention programs if and only if the private sector knows that they are partners and not the sole support of programs.

For this reason, Mr. Chairman, I continue to be dismayed at the Administration's repeated attempts to defund, freeze funds, rescind, zero budget, and generally do everything that it can to undermine the effectiveness of the JJDPA. Your leadership, Mr. Chairman, along with the strong and consistent bipartisan support in both the Senate and House, have resulted in the preservation of the JJDPA and its funds. This Administration should immediately give up its vendetta against the juvenile justice program and support the efforts of states, cities, municipalities, and families to help their troubled youth.

OJJDP-Funded Programs are Short Term and Long Term Cost-Effective.

While I have offered some implicit arguments earlier in my testimony to support the above statement, additional measurable evidence is available. With regard to the CVJDP, 157 (70%) of the youth served last year were not rearrested. Moreover, Mr. Chairman, I would be pleased to provide this Subcommittee with many pounds of client (youth and parent) satisfaction reports which show how our program has reduced school violence, promoted family stability, and given these high-risk youth some personal skills that they can use to promote their own self-sufficiency and lead law-abiding lives.

Other California OJJDP grantees have achieved noteworthy and measurable successes. Specifically,

- The Youthful Offender Treatment Project in Sacramento has helped alleviate the serious overcrowding in a California juvenile hall (secure detention facility) and through its residential and employment services, the program has found jobs for 65%+ of its paroled youth. Other state programs average only 20% employment for such youth.
- The Dispositional Alternative Project in San Diego provides an alternative to costly probation and juvenile court services and also saves federal, state, and county government funds by reducing secure detention and out-of-home placement costs. The recidivism rate of youth served by this project is well below the state average.
- The recently started Industry Network Project, conducted by the California Youth Authority, is working cooperatively with the Industry Education Council of California and an advisory committee of leading business representatives to capture training and job slots for delinquent and adjudicated youth.

Mr. Chairman, the 93 California projects that receive OJJDP funds demonstrate one of the major strengths of this federal assistance. Namely, OJJDP funds support the innovative and state-of-the-art service, treatment, and research projects, which in turn, states, municipalities, and the private sector can then adapt to improve the overall juvenile justice services systems in their respective locales. For example, in his 1986-1987 budget, Governor Deukmejian announced a $750,000 gang suppression initiative to be carried out by community-based organizations. It was prior and current year OJJDP funding that lead the Governor to include this line item.

In summarizing these arguments, Mr. Chairman, let me refer to two recent national reports, "Reconnecting Youth" by the Education Commission of the States and "All One System" by the Institute for Educational Leadership. The following quotation from "Reconnecting Youth" captures the dramatic impact of a problem that is most familiar to the police, courts, and youth service providers.

> In 1978, young adults constituted 23% of the U.S. population. By 1995, they will constitute only 16%, shrinking by one quarter the size of the entry-level labor pool. Within that shrinking labor pool is a growing pool of "at-risk" young men and women: people

> in their teens and early twenties who could become productive citizens but most likely will not unless something out of the ordinary happens. They have the intelligence to succeed, but they lack important skills, family support, discipline and the motivation to make it. An unconscionably number of them are poor, Black and Hispanic youth.

The economic impact of the above is examined in "All One System", for example,

> Back in 1950, when Americans retired on Social Security, there were 17 people in the work force contributing to each person's pension. But in 1992, there will be only 3 working-age people to pay for each retiree's benefits, and one of those will be Black or Hispanic. And unless we do a better job preparing our children to be productive members of society, the chances are that 1 of the 3 will be receiving some form of public assistance.

Mr. Chairman, I am not naive enough to suggest that the $70.2 million of OJJDP funding is going to magically reverse these most serious trends. But as you well know from your outstanding work as District Attorney for the City of Philadelphia, these two reports are referring to many of the same (but not all) of the youth who enter the juvenile justice system. The simple fact is that economically, our nation cannot afford to waste or turn our backs on any single young person in this country, be those youth delinquent or not. Continued, "unfrozen" funding for the JJDPA is one proven way of rectifying this disaster which may well undermine our entire nation.

The Administration's Arguments for Defunding OJJDP Reflect Poor Leadership and Poor Public Policy.

Mr. Chairman, I must commend the creativity of this Administration in its construction of arguments as to why OJJDP should be defunded, and thereby in fact, dissolved. Early during the JJDPA reauthorization efforts in 1984, the Administration trotted out the line that the program should be killed because it didn't work, i.e. the Act's goals of deinstitutionalization of status offenders and separating juveniles from adults in jails were "soft" notions. The concept of "delinquency prevention" was challenged by the Administration to the point of ridicule.

More recent pronouncements by the Administration show a complete 180 degree shift. Now the program should be abolished because it has succeeded and met its goals. The problems, furthermore, which the JJDPA addresses, are state and local problems and therefore the funds to resolve those problems should be state and local and any other non-federal funds.

Mr. Chairman, let me begin my closing defense of the OJJDP program by readily acknowledging that I am aware that the program is not perfect. Nor do I disagree with every program priority that the Administrator Al Regnery has begun and implemented. But it seems patently clear that this program should be maintained and, if anything, the funding level should be substantially increased, especially the formula grants provisions.

It simply is not enough for President Reagan to commend public/private partnerships and challenge the youth of America to fully participate in our society without providing the necessary funds to implement these visions. OJJDP projects help youth meet these challenges and promote exactly the kind of public/private partnerships which the President supports. For this, OJJDP should be maintained and strengthened, not dismantled and undermined.

I thank you for this opportunity to testify and respectfully ask that you and the Members of the Subcommittee maintain your strong oversight of OJJDP. The youth served by the Centinela Valley Juvenile Diversion Project are the immediate winners, and in the end, our whole nation benefits.

Senator SPECTER. Thank you very much, Mr. Mathis. Thank you very much for coming 3,100 miles at your own expense.

Mr. Dickson, thank you for joining us, and you have the floor.

STATEMENT OF DEAN DICKSON

Mr. DICKSON. Well, as another native Pennsylvanian who has also been educated in the State and still resides in the State, I would like to thank you for the opportunity to testify today, and also to say that I have supported your work for the years you have been in the Senate.

As the executive director of the Mid-Atlantic Association of Youth Services, I too believe that the proposed rescission of all fiscal year 1986 funds for the Office of Juvenile Justice and Delinquency Prevention would impose a hardship on existing and proposed juvenile justice programs across five Mid-Atlantic States and the District of Columbia.

Allocations for region 3 based on formula grants come to $4.3 million in 1986. I will, in the interest of time, focus on only the three largest State grants.

Pennsylvania has spent its OJJDP funding on postadjudication programs mostly dealing with the serious and violent offender. Ruth Williams, who is the program manager of the Pennsylvania State Commission on Crime and Delinquency, told me last week that if this funding capability is eliminated, the commission cannot maintain credible technical assistance to juvenile court programs throughout the Commonwealth.

A major portion of OJJDP funding is earmarked to Philadelphia. One of the programs that Ms. Carlisle alluded to is the management information system of the Philadelphia juvenile courts. Philadelphia was planning to reautomate, purchase new hardware, and hire a programmer because of problems of incompatability with the State system. This plan is now in jeopardy due to the proposed rescission of the fiscal year 1986 funding.

There were numerous other recommendations for changes in the Philadelphia juvenile court system based upon a study by the National Center for State Courts. A number of these changes were to be funded through fiscal 1986 funding.

In the area of prevention, the Commonwealth's emphasis has been on family involvement and aftercare. There are several pilot programs which are very successful which are in danger of closing down due to this proposed rescission. One is in Philadelphia, CORA Services having initiated a program involving family counseling and innovative truancy reduction.

The North Central Secure Treatment Program in Danville deals with serious, violent, and habitual offenders. Youth are placed in treatment phases outside of the secure treatment unit. Their families are brought onsite as a forerunner to aftercare.

A third program in Bethlehem involving juvenile prostitutes being diverted from the juvenile system is also in danger.

The Philadelphia juvenile court has sought 20 aftercare and probation workers for fiscal year 1986 to be funded through these funds. These very likely are in jeopardy as well.

In Virginia, James Roberts of the Commonwealth's Bureau of Corrections Services, states that Virginia intended to fund 28 projects with fiscal year 1986 money. Without these funds being reintroduced, projects scheduled to begin July 1 would be funded until September 30 with existing fiscal year 1985 funding, and all would close down October 1.

His associate, Ron Collier, a criminal justice analyst, states that twice his office requested OJJDP response on the status of fiscal year 1986 plans and received no answer. This has devastated their planning process because their review process was to begin in February, with their advisory board reviewing proposal this month and the governing board reaching final decisions in early May.

Maryland is an outstanding example of how the intent of the program has not been met through deinstitutionalization. In Maryland, these funds are allocated to the Juvenile Justice Advisory Council, who in turn allocates them to community-based programs that exist to deinstitutionalize youth.

According to Kris Mayne, who is the executive director of Youth Resources Center in Hyattsville and secretary of the Maryland Association of Facilities for Youth, the legislature mandated a managerial study which expressed a strong disapproval of two facilities in the State—the Hickey School and the Montrose School, both in Baltimore County—and recommended that the Montrose School be closed and the Hickey School be cut down from 400 to 200 youth.

The study strongly recommended that more money be placed in the community programs that exist to help these offenders outside the institutions. Ms. Mayne notes that if the OJJDP funding allocated to her program through JJAC is rescinded, her program would close or be seriously affected.

In conclusion, the continued freeze would mean the closing down of some programs and the elimination of essential and expanded services in others. As executive director of the Mid-Atlantic Association, I join you in your deep concern that Congress' expressed intent be carried out and that all remaining funding appropriated for juvenile justice and delinquency prevention be made available for obligation in fiscal year 1986.

[The prepared statement follows:]

PREPARED STATEMENT OF DEAN DICKSON

As Executive Director of the Mid-Atlantic Association of Youth Services, I belive the proposed rescission of all FY 86 Office of Juvenile Justice and Delinquency Prevention funds (OJJDP) would impose a hardship on existing and proposed juvenile justice programs across five Mid-Atlantic states and the District of Columbia. MAAYS is funded through a coordinated networking grant by the Department of Health and Human Services to aid runaway and homeless youth and their families in Pennsylvania, Virginia, West Virginia, Delaware, Maryland, and the District of Columbia. Allocations for the Region based on formula grants is as follows:

Delaware	$225,000
Maryland	704,000
Pennsylvania	1,888,000
Virginia	926,000
West Virginia	344,000
District of Columbia	225,000
TOTAL	$4,312,000

Ruth Williams, Program Manager of the Pennsylvania Commission on Crime and Delinquency states that Pennsylvania has spent OJJDP funding on post-adjudication programs mostly dealing with the serious and violent offender. "If this funding capability is eliminated," she said," the PCCD cannot maintain credible technical assistance to juvenile court programs throughout the Commonwealth."

In Philadelphia, she noted, the Juvenile Court Judges Commission, the PCCD and groups representing the Philadelphia Juvenile Courts were seeking funding for improvement in the Philadelphia Juvenile Court MIS. Because the hardware and software used by the city was not compatible with that used by the state, incomplete data was being received by both parties. Philadelphia was planning to reautomate, purchase new hardware, and hire a programmer. Ms. Williams states that this plan is now in jeopardy due to the proposed rescission of FY 86 OJJDP funding. In past years, the Commonwealth had funded a system improvement in the Dauphin County Juvenile Court MIS through OJJDP funds. FY 86 funds were to be used to replicate this in 10-15 other counties in the state. Similarly, plans to replicate a comprehensive MIS effort in Northumberland County dealing with Children and Youth are in jeopardy because OJJDP funds were earmarked for this in FY 86.

The National Center for State Courts funded a two-year study of the Philadelphia Juvenile Justice System with the Commonwealth following up with a report that included 70 recommendations. FY 86 funds were to be used to implement a number of changes recommended by the center.

In the area of prevention, the Commonwealth's emphasis has been on family prevention. Once a youth is in the system, the prevention program involves family counseling and an innovative truancy reduction program. In Philadelphia, CORA Services has initiated such a program. All residential community-based programs must have an aftercare component, and family-based programs; and OJJDP FY 86 funds were to be used to continue and replicate such programs. The North Central Secure Treatment Program in Danville deals with the serious, violent, habitual offender. Youth are placed in treatment phases outside of the secure treatment unit into a neighboring building. Their families are on site and this component, as a forerunner to after care, places a heavy emphasis on family counseling and family acting-out. Continuation and replication is jeopardized by discontinued/rescinded FY 86 funds.

Philadelphia Juvenile Court Judges have sought 20 after care and probation workers for FY 86 to be funded through a continuation of FY84 and 85 OJJDP Funds. This reflects the Commonwealth's emphasis on aftercare and intensive probation. In all likelihood, such positions would not be created were funds to be discontinued.

In Virginia, James Roberts of the Commonwealth's Bureau of Corrections Services, states that Virginia intended to fund 28 projects serving a variety of youth with FY 86 funds. Without these funds being reintroduced, projects scheduled to begin July 1st would be funded until September 30th with existing funds, then all would close down October 1st.

Ron Collier, a Criminal Justice Analyst with the Bureau, states that twice his office requested OJJDP respond on the status of FY 86 plans and "received no answer." This has "devestated our planning process," he said,"without knowing how much money we have to allocate,it has completely destroyed our process." He went on to explain that their review process begins in February, with the advisory board reviewing proposals in March, and the Governing Board reaching final decision in early May. There is then only one month to administer the award process.

There are 13 continuation programs affected, he said, and the missing link is the time calendar.

Maryland is an outstanding example of how the intent of the program has NOT been met through deinstitutionalization. In Maryland, OJJDP funds are allocated to the Juvenile Justice Advisory Council, who in turn allocates them to community-based programs that exist to deinstitutionalize youth. According to Kris Mayne, Executive Director of Youth Resources Center in Hyattsville and Secretary of the Maryland Association of Facilities for Youth,the state mandated a managerial study conducted by an independent consultant. Reporting to the Department of Health and Mental Hygiene, it expressed a strong disapproval of two facilities: the Charles Hickey School, a institution for serious offenders 16 years and older; and the Montrose School for boys and girls. The study said these schools, located in Baltimore County, were seriously overcrowded, that Montrose should be closed, and

Hickey reduced in size from 400 to 200. The study strongly recommended more money be placed into community programs that exist to help these offenders outside an institution. Ms. Mayne notes that if the OJJDP funding allocated to Youth Resources through JJAC is rescinded, her program would"close or be seriously affected." Obviously, not only has deinstitutionalization failed to take place, but the agencies empowered to deinstitutionalize WILL be seriously affected .

As Ms. Williams pointed out, elimination of funding capability means the states cannot maintain credibility. This is even more important at the local level. Federal funding through OJJDP shows that others care, and enables programs to solicit matching funds, and develop grants and gifts from the United Way and foundations both corporate and private. So the situation that could exist is one of double-jeopardy, where the elimination of Federal Dollars means you lose the other funding as well.

This continued freeze of FY 86 OJJDP funds will mean the closing down of some programs, and elimination of essential and expanded services in others that were planned. The Office of Management and Budget is wrong when they state that termination will have negligable impact on che criminal justice program. There HAS been program disruption and numerous programs WILL cease to exist. Extremely important studies on juvenile delinquency and pilot programs such as those in Pennsylvania,will be halted.

As Executive Director of the Mid Atlantic Association of Youth services, I join you in your deep concern that Congress' express intent be carried out and that all remaining funding appropriated for Juvenile Justice and Delinquency Prevention be made available for obligation in FY 86.

Senator **Specter**. Thank you very much, Mr. Dickson, and thank you all for coming today. I think that there has been an important statement made by this hearing and we shall pursue it and try to get these funds released so that the juvenile justice programs can go forward in this country.

Mr. **Mathis**. Please.

Ms. **Carlisle**. Thank you very much.

Dr. **Wolfgang**. Thank you.

[Whereupon, at 11:38 a.m., the subcommittee was adjourned.]

APPENDIX

NATIONAL COALITION
OF
STATE JUVENILE JUSTICE ADVISORY GROUPS

A. L. CARLISLE, CHAIRMAN
27 MAPLE LANE
CAPE ELIZABETH, MAINE [illegible]
[illegible]

ALLEN BUTTON, VICE-CHAIRMAN
KENTUCKY · [illegible]

FARRELL LINES, VICE-CHAIRMAN
NEW MEXICO · [illegible]

February 5, 1986

The Honorable Ronald Reagan, President
United States of America
The White House
Washington, D. C. 20500

Dear Mr. President:

On behalf of the National Coalition of State Juvenile Justice Advisory Groups, I am compelled to convey to you the State Advisory Groups' continued deep concern about the Administration's freeze on Fiscal Year 1986 funds for the Office of Juvenile Justice and Delinquency Prevention. Congress appropriated $70 million for the OJJDP, and you signed this appropriation bill on December 13, 1985. That same day, the Office of Management and Budget recommended that all FY 1986 OJJDP funds be "frozen", pending a request to rescind the entire FY 1986 appropriation for OJJDP. The Department of Justice subsequently "froze" those funds. On December 19, 1985, the Senate unanimously passed Senate Resolution 278, which disapproved this informal "freeze" on OJJDP funds, as well as other Justice Program funds.

Shortly thereafter, states whose plans had been approved by OJJDP were notified that they would receive partial awards (one-half of their allocations). On Wednesday, January 15, I was informed that OMB was holding all FY 1986 OJJDP funds, pending the rescission request, and that no awards would be made to the states until Congress acted on the rescission request.

Through both the appropriation for OJJDP and Senate Resolution 278, Congress has clearly indicated its intention of funding the OJJDP for FY 1986. I find it reprehensible that the Department of Justice and the Office of Management and Budget are so blatantly subverting the will of Congress.

The State Advisory Groups, which are responsible for meeting the mandates of the Juvenile Justice and Delinquency Prevention Act at the state level, are now in an extremely difficult position. Many projects will soon be forced to reduce or eliminate programs or cease operations entirely unless the FY 1986 funds are made available immediately. Some administrative entities responsible for administering the Juvenile Justice Program will also be forced to cut back staff and activities. Such actions will jeopardize states' ability to responsibly manage JJDP funds already in the funding cycles, as well as states' ability to meet the mandates of the Act. This action by OMB and acquiescence by DOJ has been so sudden and unexpected that states will have no opportunity to even try to find state or local funds to assume some of the costs. Planning has become impossible, as have negotiations/agreements with State, County, and local governments to assist in the provision of community-based services to juveniles.

Over one-quarter of the Federal Fiscal Year has already passed. With OMB's action, it is likely that half the Fiscal Year will pass before states receive information about their FY 1986 allocations. I am sure you can appreciate the extreme difficulty states now face.

The State Advisory Groups request you to override the decision of OMB to hold the FY 1986 OJJDP funds and to withdraw the rescission request that would eliminate the entire FY 1986 appropriation. The State Advisory Groups appreciate any assistance you may provide in this matter.

If I can provide you with further information, please let me know.

Sincerely yours,

A. L. Carlisle

A. L. Carlisle, Chairman
National Coalition

THOMAS COUNTY JUVENILE COURT
COURTHOUSE ANNEX
[illegible] SOUTH BROAD STREET
P. O. BOX [illegible]
THOMASVILLE, GA. [illegible]
(912) [illegible]
(912) [illegible]

T. JEFFERSON LOFTISS, II
Judge

[illegible]
[illegible]

H. CLAYTON [illegible]
Youth Services District Director

WANDA G. POWELL
Intake Officer / Clerk of Court

JOHN V. SMITH
Probation Officer

CARL W. HARRISON
Probation Officer

ANNA R. JACKSON
Deputy Clerk

March 17, 1986

President Ronald Reagan
The White House
Washington, DC 20510

Dear President Reagan:

It has come to my attention that a probation officer from Bibb County, Georgia, has expressed in the strongest of terms his opinion to you that the Office of Juvenile Justice and Delinquency Prevention should be abolished in a letter dated February 24, 1986. With all due respect, his opinion is a perfect example of "throwing the baby out with the bath water".

Certainly, there are too many rules and restrictions attendant with many of the federal dollars we receive in the area of juvenile justice, however, the alternative, i.e. no federal dollars, would be a short-sighted, simplistic, immature, and not well-reasoned solution to the problem. I can personally assure you, as one who has been a sitting Judge on the front lines of juvenile justice in Georgia for the past seven years, that the quality of the delivery of direct service to children in my jurisdiction would suffer irreparable harm if O.J.J.D.P. was eliminated or even if its funding was severely restricted.

Our children are our greatest natural resource. Please do not abandon them for the mere sake of ideological idealism or theoretical perceptions which sound great and look fine on a bureaucrat's flow chart but do not get the job done for our kids. I, further, think it is the height of intellectual dishonesty for the administrator of the office of this important agency in behalf of the children of this Country to advocate its own abolition.

Your thoughtful reflection on this point of view will be greatly appreciated by those in this Country who have no natural constituency and are, in fact, the weakest members of our society--our children.

Sincerely,

T. Jefferson Loftiss, II
Judge, Thomas County Juvenile Court
Secretary, Georgia Council of

TJL/dsy
cc: Honorable Arlen Specter
Mr. Alfred Regnery
Council of Juvenile Court Judges

Juvenile Court of Floyd County
Old Floyd County Courthouse
North Fifth Avenue
Rome, Georgia 30161
(404) 291-5180

Honorable
TIMOTHY A. PAPE
Judge

PHIL HART
Court Administrator

MAR 20 1986

March 17, 1986

President Reagan
The White House
Washington, DC   20510

RE: Office of Juvenile Justice and Delinquency Prevention

Dear Mr. President:

I am writing to request your assistance and support for total funding for the office of Juvenile Justice and Delinquency Prevention. This program has specifically provided our county with approximately $10,000 per year, which has gone into local programs such as counseling by a licensed psychologist for juvenile offenders, tutoring programs during the summer months, and two of our Court's most active programs: the Symbolic Restitution Program (community service) and the Victim Restitution Program. In the last two years our Symbolic Restitution Program has provided this community with over 6,000 man-hours of service and over $2,300.00 has been paid to victims of juvenile delinquency which otherwise would not have been possible without this grant money.

As a Judge of Juvenile Court, I am very much in the position of knowing how effective such grant money has been in assisting local communities to combat the problems of children. While it may be argued that programs dealing with children should be locally controlled, given the realities of the availability of local monies (our local county commission mandated a 10% reduction of all budgets in 1986), local funding of such programs will simply not be forthcoming. As it is, I have found O.J.J.D.P. monies not to be cluttered with federal regulations. To assume that local communities would be better off without such funding is in my estimation not only unrealistic, but foolish.

I have, by most standards, a small Juvenile Court in a relatively small community of approximately 90,000 people. But I have personally seen several children in the past several years whose psychological make-up tells me that without help they will most certainly rob, murder, and/or rape someone in the next ten years. I also know that there are absolutely no programs, federal or local, that will help these kids.

The numbers of potential murderers and rapists are increasing, not decreasing; and their existence and potential is reality, not imagined prediction. I am, as a Juvenile Court Judge, given the legal and moral obligation to try and help these children, not just for their sake, but for the sake of their future victims. Yet, there is nothing I can do. To be frank, I am much more afraid of these individuals than I am of any Communist threat because these people are real, not mere "threats". There is not too much funding of juvenile justice and delinquency efforts, there is simply too little. The future lives of my family and of the people of this community depend on our efforts at dealing with such real threats now.

I urge you not only to support the office of Juvenile Justice and Delinquency Prevention, but to become more informed of the needs of Juvenile Courts throughout our country.

Sincerely,

Timothy A. Pape
Judge, Juvenile Court
Floyd County, Georgia

CHILDREN'S
RIGHTS
OF PA, INC.
(IN SEARCH OF MISSING CHILDREN)

P.O. BOX 4362
ALLENTOWN, PA 18105
(215) 437-2971

January 30, 1986

Ronald W. Reagan, The President of the United States
1600 Pennsylvania Avenue, N.W.
Washington, D. C., 20500

Dear Mr. President and Mrs. Reagan:

I am writing to you on behalf of an American child, eight year old Jimmy Freels, who was kidnapped from his home in New Jersey, and is presently being held in an armed camp in the jungles of Central America.

Jimmy was not kidnapped by drug smuggling gangsters or left-wing terrorists, but by his own father. James R. Freels, Jr., a self-styled "Freedom Fighter" and "Soldier of Fortune," kidnapped his son from the lawful custody of his former wife, Jimmy's mother, Deborah Freels.

James Freels and his girlfriend, Maureen Wilkens, are known to have taken Jimmy to Central American where Freels is connected with the Contras as a mercenary.

As a Vietnam combat veteran, I am well aware of the dangers a child faces in a war zone, never mind the unwholesome enviorment for a young boy, who should be in school, and playing baseball with his friends.

As a veteran police officer and investigator, I am well aware of the risk faced by a child in the unlawful custody of a vindictive and violence prone parent who is living on the run.

I realize you have many weighty responsibilities on your shoulders, but I hope you will find time to address this situation. I urge you to send a message to the Contras to take custody of Jimmy Freels and send him back home where he belongs.

Sincerely,

Anthony B. Padrone
Anthony B. Padrone
Asst. Chief Investigator

cc: Mrs. Nancy Reagan, First Lady
Ms. Linda Chavez, Deputy Asst. to the President, Public Liaison
Mr. John M. Pointdexter, Vice Admiral USN, Deputy Asst. to the President
Ms. Pamela J. Turner, Deputy Asst. to the President, Legislative Affairs
Mr. Alan M. Franowitz, Deputy Asst. to the President, Legislative Affairs
The Washington Post

A P P A

American Probation and Parole Association

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Norman L. Helber
(609) 853-3616

January 21, 1986

Senator Arlen Specter
SH-331 Hart Senate Office
 Building
Washington, DC 20510

Dear Senator Specter:

The American Probation and Parole Association supports the continuation of the Office of Juvenile Justice and Delinquency Prevention. It is the main vehicle by which the Federal Government demonstrates its support for the welfare of children who come into interaction with the justice system.

I support the concept of a balanced Federal budget and believe that it can be balanced through the elimination of many of the tax breaks which benefit the few and through increased frugality on the part of the Pentagon. I challenge you and your colleagues to continue to support juvenile justice and delinquency prevention through the models the Federal Government is able to establish through the Office.

In appreciation for your service, I remain

Very truly yours,

Malcolm MacDonald

Malcolm MacDonald
President

MMacD/es

11th Annual Institute — Aug. 3-6, 1986 — Baltimore, Md
12th Annual Institute — Aug. 23-26, 1987 — Salt Lake City, Ut

THE JUVENILE COURT OF TUSCALOOSA COUNTY
COUNTY COURTHOUSE
TUSCALOOSA, ALABAMA 35401
TELEPHONE (205) 349-3870

January 22, 1986

Honorable Arlen Specter
United States Senator
331 Hart Senate Office Building
Washington, D. C. 20510

Re: JJDP Funds

Dear Senator Specter:

It is my understanding that the Administration is currently considering terminating appropriations for the office of Juvenile Justice and Delinquency Prevention (OJJDP). I am writing you to request your help and support in attempting to influence President Reagan's administration to rescind their bill to eliminate JJDP funds.

As you are aware, the Office of Juvenile Justice and Delinquency Prevention has absorbed cuts up to $130 million since the year, 1970. This reduction has reduced many worthwhile programs and services for youth in Alabama as well as Tuscaloosa County in which I reside and work. Currently, our Shelter Care program is funded partially by JJDP funds and if these funds are terminated this year, there is a significant likelihood that this program will be closed and we will be unable to serve children in this county as well as the eight surrounding counties in this region. Our Shelter Care Home serves over 150 children on an emergency temporary basis annually and provides an essential service for children who are temporarily homeless and without proper care.

We urge you to use your vote and influence to help maintain the current level of funding for the Office of Juvenile Justice and Delinquency Prevention funding as any further reduction or termination of these funds would not only place our children in jeopardy but, in my opinion, would eliminate many programs and services for disadvantaged children in the State of Alabama.

Thank you for your assistance in this matter.

Sincerely,

John Upchurch

John Upchurch
Director of Court Services

nd

MARSHALL COUNTY ATTENTION HOMES, INC.

President
ROBERT T. GIBBS

P. O. BOX 661
GUNTERSVILLE, ALABAMA 35976

Phone (205) 891-1207

Vice-President
E. CHARLES OGDEN, III

Secretary/Treasurer
DONNA KAY KING

CEIVED
ALEPA

January 23, 1986

Senator Allen Spector
331 Hart Senate Building
Washington, D.C. 20510

Dear Senator Spector:

We strongly support your efforts in rescinding the President's order to reduce or cut-off monies for the Juvenile Justice Programs.

In anticipation of forth coming federal monies, some of us have borrowed money to keep our programs in operation. Therefore, I feel that it is unfair to these important programs and those persons involved in operating them, to leave us out-on-a-limb. Without some continued federal assistance, many programs will be forced to close, forcing children back into adult jails. When these successful rehabilitation efforts cease to exist, what will happen to our children?

As an Alabama State Juvenile Justice Board Member, I know that I am not alone on my feelings concerning this issue. Again, we strongly support you in your endeavors and commend you in your efforts. Please let me know if there is anything that we may do to assist you in this matter.

Sincerely,

Robert T. Gibbs

Robert T. Gibbs
President

Xc: correspondence file
Doug Miller

AD HOC COALITION FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

A group of over 50 national, state and local organizations
committed to responsible juvenile justice policies and programs

January 23, 1986

The Honorable Arlen Specter
Chairman, Senate Subcommittee on
  Juvenile Justice
327 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Specter:

As you know, organizations participating in the Ad Hoc Coalition on Juvenile Justice and Delinquency Prevention share your alarm over the apparent continuing freeze on spending by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). We have recently received from Assistant Attorney General John R. Bolton a letter which asserts "the lack of even an informal 'freeze'" in the Office of Justice Programs, including OJJDP.

Mr. Bolton's communication leaves us with some remaining questions, primarily: are OJJDP grants now in fact being processed?

While we appreciate Mr. Bolton's statement that "Juvenile Justice...and other discretionary grant awards requiring continuation funding have been processed and are receiving sufficient funds to carry them through any possible proposed rescission period," it is not evident that timely processing of grants continues at present.

Does Mr. Bolton's statement that these "awards were made" indicate that checks are being issued or only that paperwork has been completed?

Is the Office proceeding with "plans for obligations and expenditures for the next quarter" with reports to Congress, as directed in conference report language adopted Dec. 5 and 6 (Commerce-Justice-State Appropriation for FY 86)?

Is the Office acting expeditiously on Congress' instruction that "all of the remaining $4,366,858 previously appropriated for Juvenile Justice and Delinquency Prevention Program will be made available for obligation in fiscal year 1986 within the parameters of the law"?

As co-chairs of the Ad Hoc Coalition, we join you in deep concern that Congress' express intent -- most recently in the conference report on Commerce-Justice-State appropriations and in the Sense of the Senate Resolution disapproving the informal freeze of OJJDP funding -- be carried out.

Sincerely,

Donald W. Mathis
National Network of Runaway
    and Youth Services, Inc.

Sharon K. Martin
YMCA of the USA

Co-Chairs, Ad Hoc Coalition for Juvenile Justice
and Delinquency Prevention

CHILD MENTAL HEALTH SERVICES, INC.
P. O. BOX 7638
BIRMINGHAM, ALABAMA 35253-0638
205/967-4407

January 23, 1986

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The Honorable Arlen Specter
331 Hart Senate Office Building
Washington, D. C. 20510

Dear Senator Specter:

Today I was informed by the Alabama Law Enforcement Planning Division (ALEPD) of the Alabama Department of Economics and Community Affairs (ADECA) that the President is signing an order rescinding the OJJDP funds for this fiscal year. This action will have serious ramifications for our organization. Our application for funding in the amount of $106,030.00 was approved for this fiscal year. These funds have been used within our nonprofit organization to further develop a new program (Glenwood Wilderness Camp). After having been told our grant was approved we, in good faith, opened this additional program component October 1, 1985. Staff were hired and children were accepted. Our Board of Directors arranged to borrow the cash flow needed to operate the program until the funding was received.

Besides the fact that failure to receive these funds will place our agency with a large deficit and no way to replace these funds, this action will have an impact in other areas. These include:

(1) Ten additional children have been accepted into the program, which takes approximately one year to complete. If there are no funds these children will have to leave the program. There are no openings in any other existing programs of this nature in Alabama. This means the children would return to the streets, the court system, or to their families who have already demonstrated that they cannot manage their young.

These youth were admitted to the program because they are in need of specialized treatment/care. Most of them have had some initial involvement in the court system or are on the verge of such involvement. They were admitted because they desperately needed help before they destroyed their lives and became an additional burden to society, with more serious involvement in the juvenile justice system and perhaps a lifetime of crime. To deny them services, after "offering to help" them and their families would have devastating effects, but we would have no choice.

2. The ten staff members hired through these funds will have to be laid off and will go on unemployment compensation.

I would greatly appreciate any assistance you can offer in appealing this decision. I would be happy to provide additional information if necessary.

Thank you for your help.

Sincerely,

D. Lee Yount, Executive Director
Child Mental Health Services, Inc.

NATIONAL COALITION
OF
STATE JUVENILE JUSTICE ADVISORY GROUPS

A. L. CARLISLE, CHAIRMAN
21 MAPLE LANE
CAPE ELIZABETH, MAINE 04107
207/767-5680

ALLEN BUTTON, VICE CHAIRMAN
KENTUCKY - 502/585-2100

FARRELL LINES, VICE-CHAIRMAN
NEW MEXICO - 505/247-0107

January 23, 1986

The Honorable Arlen Specter, Chairman
Subcommittee on Juvenile Justice
331 Hart Senate Office Building
Washington, D. C. 20510

Dear Senator Specter:

On behalf of the National Coalition of State Juvenile Justice Advisory Groups, I would like to thank you for your continuing efforts to ensure that states receive their FY 1986 appropriation for Juvenile Justice, recently approved by Congress and signed into law by President Reagan. As you know, OMB is now holding all Juvenile Justice funds, pending action by Congress on a proposed recommendation to rescind all FY 1986 funds. This freeze is causing extreme disruption to the states. We are already four months into the Fiscal Year, and, if the FY 1986 money is not made available soon, projects will be forced to cut back programs or to close. Entities responsible for administering JJDP funds may be forced to cut back, thus jeopardizing their abilities to responsibly manage the Juvenile Justice programs within the states. Some State Advisory Groups will not have sufficient funds to meet and, therefore, will be unable to fulfill their responsibilities.

If Massachusetts does not receive its money by mid-February, at least four of its projects will either have to drastically reduce services or close. Rhode Island must also receive its funds by February to avert crises for many of its projects. Some of New York's projects will be in jeopardy if funds are not received by March 1. If Alabama does not receive its funds within the next 30 days, at least 25 of its youth-serving facilities will close. These facilities have already cut back on available bed space and are in the process of determining lay-offs. In addition, based on the action of Congress to appropriate FY 1986 funds, many of these projects have borrowed money to continue operations until the FY 1986 funds are received. However, noone expected that these funds would not be made available for such a long time or perhaps not at all. These programs, particularly residential ones, cannot be shut down and then reopened at a moment's notice. If bed space is cut back or eliminated, juveniles must be placed elsewhere. In many cases, there is no "elsewhere". To disrupt or eliminate desperately-needed services to juveniles, with little or no notice, is unconscionable.

Of at least equal concern to the states is the disruption this freeze is causing in our planning processes. As you know, states operate under a three-year plan, which consists of priorities and operating strategies for the three-year period. Since the JJDP funds are insufficient to meet the mandates of the Act, it is necessary to obtain funds from state, county and

and local governments and from private sources. These efforts take a great deal of time, and, in some cases, a number of years. Funds from state, county and local governments must be included in their budgets and then voted upon, a process which is seldom quick or easy. Legislatures are not always in session, budgets are usually submitted for a two-year period, and budget cycles have set time tables. Consequently, SAGs must allow time for continuation costs of projects and activities to be assumed by other sources.

Since the JJDPA requires system changes, legislation must often be introduced to accomplish such changes. Many states currently have legislation pending before their Legislatures. Such legislation is the result of much negotiation and various levels of commitment by State Departments, SAGs and others. SAGs are now in the position of not being able to fulfill commitments made, which jeopardizes legislation to improve services to juveniles and to enable states to meet the mandates of the Act. In addition, ongoing negotiations and future plans must be put on hold. It is difficult enough to change the juvenile justice system and to obtain resources for juveniles. This current action by the Administration may make it impossible.

The SAGs greatly appreciate all that you are doing to enable us to continue the progress we have made in improving the juvenile justice system and in providing services to juveniles.

Thank you again. If I can provide you with further information, please let me know.

Sincerely,

A. L. Carlisle

A. L. Carlisle, Chairman
National Coalition

Progress Place
THE CHILDREN'S HOME, INC.
3100 Ivy Avenue
HUNTSVILLE, ALABAMA 35805
539-0130

January 24, 1986

Sen. Arlen Specter
331 Hart Senate Office Building
Washington, D.C.

Dear Senator Specter:

Progress Place diverts an average of 38* Children In Need of Supervision each year from more secure, more costly placements. It is the only facility serving this need in north Alabama. Should this program be lost to the communities in this part of our state they would be faced with the dilemma of either confining these non-delinquent children with delinquents, or worse, in adult jails or of providing no resources at all for them. Ample evidence exists that nonintervention at this crucial point in a child's life frequently leads to more serious behavior and continued contact with the court system. This is a price too high to pay both in terms of lost human potential and in cost to the tax payers when a remedy is in place.

I urge you and the Senate to continue your efforts to keep the OJJDP (Office of Juvenile Justice and Delinquency Prevention). it is among the most wisely spent money appropriated by the Congress.

Sincerely,

Billie J. Long
Director

---

* Average admission for the previous 5 years.

JOHN F. BUTLER
Circuit Judge

ROBERT J. MARTIN
Chief Probation Officer/Coordinator

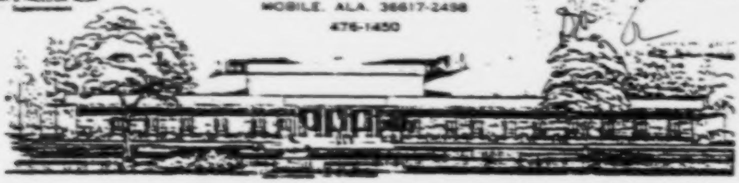
[illegible] PH.D.
Court Psychologist

[illegible]

JAMES T. STRICKLAND YOUTH CENTER
2315 COSTARIDES ST.
MOBILE, ALA. 36617-2498
476-1450

[illegible]
Court Referee

[illegible]



January 24, 1986

The Honorable Arlen Specter
331 Hart Senate Office Building
Washington, D. C. 20510

Dear Senator Specter:

I have recently been notified by the Alabama Law Enforcement Planning Agency that the Office of Juvenile Justice and Delinquency Prevention monies for 1985-86 have been impounded and may not be released this year.

Our center currently operates a runaway shelter care facility serving a four county regional area in southwest Alabama. The shelter provides emergency crisis residential services and out-patient counseling to approximately 1,000 dependent, neglected, abused, and runaway youth each year.

To suddenly cut off federal funding for this project without allowing adequate time to seek additional support from local resources may well result in the temporary or permanent closing of the facility. In Mobile County, this would result in dependent, neglected, abused, and runaway youth being housed in a juvenile detention facility. In the smaller counties served by us, the courts would be forced to revert to placing these youngsters in adult jails for lack of any other residential resource. I thank you for your many efforts to continue funding for programs like ours.

Sincerely,

Robert J. Martin
Chief Probation Officer/
Coordinator

RJM/dl
CC: Douglas Miller ✓

CORA SERVICES
COUNSELLING OR REFERRAL ASSISTANCE

January 28, 1986

Hon. Arlen Specter
331 Hart Building
Washington, DC 20510

Dear Senator Specter:

I write to you with much concern and support for your effort to make available the funding already allocated to Juvenile Justice Programs for fiscal 1986. The rescinding of such money would have a catastrophic effect on many critical services to children and youth that are already implemented, and could only be eliminated at the cost of significantly disruptive and self-defeating consequences.

The CORA TIP project is simply one instance. In line with Federal guideline emphasis on family advocacy and deterrence from formal court processes, CORA is experiencing considerable success in working with the highly vulnerable population of truant youth in Philadelphia. This demonstration project, supported by the city's Youth Services Coordinating Office, is financed by the Juvenile Justice money so threatened.

In addition to this immediate impact, I am also, as a member of the Pennsylvania State Advisory Committee on Juvenile Justice, in touch with the wide range of statewide services for youth that would be decimated by the rescinding of the projected federal monies. Such ruthless action would affect many neighborhood and community services for a volatile population of children and youth.

Finally, I write to you as a seasoned human service professional, with experience within both public and private juvenile justice systems, and currently as Administrator of one of the largest children and youth serving agencies in the state. Please convey to the President our serious concern that fiscal 1986 funding through the Juvenile Justice and Delinquency Prevention Act be maintained.

Sincerely,

Sr. M. Charity Kohl

Sr. M. Charity Kohl
Administrator

MCK/bjh

CORA SERVICES — 733 Susquehanna Road, Philadelphia 19111 — (215) 342-7660

The National PTA
700 North Rush Street
Chicago, Illinois 60611-2571
(312) 787-0977

Office of Governmental Relations
1201 16th Street N.W.
Washington, D.C. 20036
(202) 822-7878

January 28, 1986

Honorable Arlen Specter, Chairman
Senate Juvenile Justice Subcommittee
 Committee on the Judiciary
Washington, D.C. 20510

Dear Senator Specter:

The National PTA appreciates your ongoing efforts to have the Department of Justice release funds appropriated by the Congress for Juvenile Justice and Delinquency Prevention, and strongly supports your forthcoming legislation to disapprove the expected Administration's request to rescind these funds. The continuing intransigence of the Department of Justice with respect to its freeze on Juvenile Justice monies underlines the especially urgent need for passage of your bill.

As National PTA Vice President for Legislative Activity, I wrote to the Attorney General on December 18 (as did many youth advocacy organizations and citizens across the country who are concerned about the welfare of our nation's youth) protesting the freeze and requesting immediate release of the OJJDP funds. On January 23, I received a response from Assistant Attorney General John R. Bolton (copy enclosed) that raises more questions than it answers, and is further evidence that the Administration continues to act contrary to Congressional intent and statutes.

In his letter, the Assistant Attorney General denies there is "even an informal 'freeze'" on OJJDP funds, and contends that awards are being processed on a normal schedule.

It is the understanding of the National PTA, however, that the Justice Department will not allow Formula Grant checks to be issued to states, although awards to several states should have already been made since all the required paperwork has been completed. If this refusal to issue checks does not constitute a freeze, then we wonder what does?

Other statements in the Justice Department letter raise concerns:

- That several discretionary grant awards were made in December--Which awards have been made? Have checks been issued, or paperwork processed?

- That "new competitive program actions, formally planned programs, and other potential obligation actions will be considered on a case by case basis"--What does that mean?"

In addition the National PTA would like to know the status of the $4,366,858 previously appropriated by the Congress, funds that conferees on the FY 1986 appropriation bill expected the OJJDP to allocate in the current fiscal year. We expected that information on these monies as well as on the $70,282,000 would have been included in the Department's first quarterly report on OJJDP obligations and expenditures (due on January 1, 1986) that Conferees have required. We have been informed, however, that the Department did not submit this report as directed. Is there also a freeze at the Department on issuing required reports to the Congress?

The Assistant Attorney General sought to "assure" the National PTA, that "this Administration will continue to administer its funds in a responsible manner, consistent with applicable statutes." The National PTA is not assured. Responsibility in the expenditure of juvenile justice funds is not a hallmark of this Administration as evidenced by its failure to allocate under the JJDPA previously appropriated funds. Furthermore, we can find no statutory justification for the Justice Department's refusal to spend the monies appropriated under P.L. 99-180 in the absence of a formal rescission request. The Budget and Impoundment Control Act precludes such actions by the Executive Branch. There is no deficiency in the Juvenile Justice account, therefore, the Antideficient Act cannot be used to justify the freeze on OJJDP funds. What is deficient, we believe, is the Department's failure to implement the law and to comply with Congressional directives.

It's clear that binding legislation must be passed quickly to unfreeze OJJDP funds. Otherwise vital juvenile justice services to youth in need, their families, and communities across the country will cease, contrary to the intent of Congress and applicable statutes.

National PTA commends you for your continuing leadership and advocacy on behalf of our nation's youth and the juvenile justice programs that serve them. We look toward a speedy enactment of your forthcoming legislation to disapprove the expected rescission of OJJDP funds so that our nation can continue to work toward the goals of the Juvenile Justice and Delinquency Prevention Act.

Sincerely,

Millie Waterman

Millie Waterman, Vice President
for Legislative Activity

MW:yb

Enclosure

U.S. Department of Justice

Office of Legislative and Intergovernmental Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

Ms. Millie Waterman
Vice President for Legislative Activity
The National PTA
Office of Government Relations
1201 16th Street, N.W.
Washington, D.C. 20036

Dear Ms. Waterman:

This is in response to your letter to the Attorney General concerning the Department's policy on the use of funds allocated to the Office of Juvenile Justice and Delinquency Prevention.

As you know, this Administration is in the process of considering its budget options for the Fiscal Year 1987 budget. This process includes fiscal year funds appropriated by the Congress. This internal review and consultation process is ongoing, and final decisions have not been made. Those decisions, once made, will be reflected in the Fiscal Year 1987 budget. You may be assured that any proposed actions with respect to Fiscal Year 1986 and prior year funds will be in accordance with all applicable law, including the Budget and Impoundment Control Act of 1974.

With regard to Office of Juvenile Justice and Delinquency Prevention funds, all pending OJP agency award actions, including those of OJJDP, recently were held for a few days in the context of potential Administration budget proposals. Agencies were advised to review the status of upcoming award activities and not to take actions which would have the effect of prematurely obligating funds.

The Office of Justice Programs has continued to process awards on a normal schedule and, until instructed otherwise, will continue to do so for all Victim Compensation and Assistance grants, Justice Assistance Fiscal Year 1985 and 1986 block applications, and OJJDP Fiscal Year 1986 Formula Grant applications. Juvenile Justice, Justice Assistance, RISS, and other discretionary grant awards requiring continuation funding have been processed and are receiving sufficient funds to carry them through any possible proposed rescission period. New competitive program actions, formally planned programs, and other potential obligation actions will be considered on a case by case basis.

The lack of even an informal "freeze" in the OJP agencies is evidenced by the fact that, of a total of 118 block and discretionary awards made during the First Quarter of FY 1986, 70 were made during the month of December (including six OJJDP awards). It was during the third week of December that the OJP review of grants occurred, and a significant number of awards were made during that week and the last week of the month.

Your concern about this matter is appreciated. However, I want to assure you that this Administration will continue to administer its funds in a responsible manner, consistent with applicable statutes.

Sincerely,
John R. Bolton
John R. Bolton
Assistant Attorney General

esac

Ecumenical Social Action Committee, Inc.
406 South Huntington Avenue
Jamaica Plain, Massachusetts 02130
Telephone: (617) 524-2555

Robert F. Wooler
Executive Director

January 31, 1986

Senator Arlen Specter
Capitol SH-331
Hart Senate Office Bldg.
Washington, DC 20510

Dear Senator Specter:

My purpose in writing to you today is to strongly encourage you to introduce the proposed legislation which would protect and allocate funding for the Office of Juvenile Justice and Delinquency Prevention (OJJDP). In your role as Chairman of the Juvenile Justice Committee, I have been impressed by your support for groups such as runaway and homeless youth, helping to increase funding for the Runaway Youth Program several years ago when prospects for budget increases were considered very slim, as they are today.

Without a continuing allocation from OJJDP through our state Committee on Criminal Justice, the Ecumenical Social Action Committee will be forced to terminate a very successful delinquency prevention project based at the Curley Middle School in the Jamaica Plain neighborhood of Boston. Called Project Promote, the program targets 24 middle school students each year and works with them intensively through "behavior contracts" to achieve mid-year promotions to a higher grade, thus maintaining momentum and interest in school. Over the past two years, ESAC's Project Promote has successfully promoted and kept in school 90% of the students enrolled in the project. A press clipping is enclosed which provides more background on Project Promote.

Based on the program's success, the Massachusetts Committee on Criminal Justice has prioritized it for third year funding in 1986. A budget cut which affects the OJJDP will effectively terminate this valuable delinquency prevention program in March of this year, a time when students require continuing support to help them make the transition to new schools and new challenges. I am hoping we can count on your leadership this winter and spring on these and other human service budget issues which are of deep concern to us because of how they will affect our clients.

Sincerely,

Robert Wooler
Executive Director

Enc.

cc: Mike Russell ✓
Jane Marsh, MCCJ

J.P. Citizen 2/21/85

ESAC, Home for Little Wanderers Provide Staff

Project Promote: A Second Chance for Curley Students

By Marsha Kalakov, Director of ESAC Youth Counseling Programs

School can be a constant reminder of past failures for students who are behind in grade level. Once they are kept back from promotion there is usually no hope of rejoining their peers at graduation.

Responding to the low self esteem and low motivation faced by students who have been kept back, counselors from two local youth service agencies have joined with faculty from the Mary E. Curley Middle School to implement a program designed to give these youth a second chance to achieve success. The Project Promote Program has helped 32 Curley students move up in grade level at the mid-point of the academic year. Counseling and tutorial staff from the Ecumenical Social Action Committee (ESAC) and New England Home for Little Wanderers provided the support for this program effort.

"This has not been a free ride for these kids," said Marilyn Hyder, instructional support teacher at the Curley Middle School. Ms. Hyder was referring to the contractual agreements which counselors developed with each student, outlining the specific attendance, academic and behavioral requirements needed in order to be promoted mid-year. Students with histories of truancy, academic failure, and poor classroom conduct were given concrete goals to attain along with ongoing group counseling support to keep them focused on the process of changing their in-school performance.

"The students felt a new sense of obligation and responsibility," said Ms. Hyder, adding that, "the obligation was to themselves." She reported that teachers were enthusiastic because Project Promote offered them a new motivational tool.

Deborah Reid, ESAC counselor for the Project Promote program, noted that families reaped the benefits of their children's change in attitude at school. "We saw parents who had formerly been defensive or negative about their children's school failures, gain a new sense of pride from successful fulfillment of the Project Promote contract. We tried to enlist family support in helping students attend school and study harder. The parents also became invested in the process and it worked." One mother reported that this was the best year in her daughter's school history.

For Maggie Goodwin, supervisor of ESAC and New England Home in-school counseling programs at the Curley, the peers groups were a key element in Project Promote. Students met weekly with counselors to offer support and encouragement to each other. "We saw students destined to drop-out, really turn around their attitudes. The staff and faculty tried to give the kids a sense that we cared about them."

Project Promote coordinated its work with *Re-cap*, the Boston Public School Department's Mechanism for promoting students mid-year. As a result, twenty Project Promote 8th grade "graduates" began high school this month, and twelve 6th and 7th graders are now 7th and 8th graders. Their families, teachers and counselors are very proud of their achievements.

Ms. Hyder of the Curley School, center, celebrates mid-year promotion with 'Project Promote' graduates.

(photo by Marsha Kalakov)

8 Woodstock Court
Mount Holly, N.J. 08060
10 February 1986

Dear Sir:

I am writing to you on behalf of myself and other parents whose children are, have been or someday will be missing. There is a serious lack of sincere attention given to the problem of missing children, most especially, I believe, in the cases of parents who abduct their own children. Before I had any reason to develop my own awareness, I naively believed the existing laws to be adequate. When my own two children were kidnapped by their father and taken to Nicaragua, I finally was confronted with the unfortunate truth that the laws of my state and the laws of my country concerning such a crime are grossly inadequate.

In November of 1983 I was given full custody of my two minor children. My ex-husband, their father, was granted liberal visitation rights under the same order by the Superior Court of New Jersey. In August of 1984 he broke our custody agreement, violated the Order of the Court and disappeared with both children. My daughter was six, my son, four. The day he failed to return the children to me began my long and frustrating search and a futile battle with beaurocratic red tape.

For five months the New Jersey State Police tried to assist me in my search. I also contacted the FBI in Belmawr, New Jersey who told me that until I had reasonable proof that my ex-husband had crossed state lines, they could not enter into the case. In November 1984 a letter from my ex-husband post-marked Seattle, Washington gave me such proof and the FBI assigned an agent to the case. Three months had passed. In the meantime, phone records subpoened from my ex-in-laws with whom my ex-husband had resided showed a number of calls placed to Nicaragua. Afraid that he had fled the country, I called the Passport Division of the State Department but was assured that no passports had been issued for either of my children. That misinformation cost me valuable time: it was five months later, after exhausting every other possibility, that I again checked with the Passport Division and was told that passports had indeed been issued in June of 1984 for both children. (The error was blamed on a computer malfunction). Literally countless times I called the State Department for help in determining whether or not my children had been taken to Nicaragua. Each time I spoke with a different person and each time was flatly told that there is nothing the State Department can do. In my persistance, I was finally put in touch with a woman in Citizens' Consular Services who, although bound by red tape, was at least sincere in her concern and efforts. Through her correspondence with the American Embassy in Managua, Nicaragua, I confirmed leads given to me that the children were residing in Blue Fields, Nicaragua. It was now January 1985.

The State Department at this point needed a copy of a Federal warrant which would enable them to revoke my ex-husband's passport, thereby forcing him to return with the children to the United States. It seemed as though there was a light at the end of the tunnel, but it was quickly extinguished. The FBI agent assigned to my case was arrested for stealing government property and a new agent was put in charge. He told me that a Federal warrant didn't exist, that in New Jersey parental abduction is a crime of the fourth degree and therefore not a felony. The FBI never should have been involved to begin with and the case was officially closed with a letter of apology.

During their mistaken involvement, the FBI had determined the exact address where my children were living. When the case was closed, I requested that information so that I could continue trying to recover them. I was told that my children were "protected" under the Privacy Act and that such information could not be forwarded to me even though I was their legal custodial parent and they had been taken from me against their will and against the law.

It was about this time that I learned of the existence of Interpol and sought their help. I soon learned that without a Federal warrant not only was the State Department unable to seek passport revocation but Interpol's services also were off limits to me. The only option left for me was to file for custody of my children in Nicaragua under Nicaraguan law. There were some major problems with this last option: first, having been strongly urged by the State Department to stay out of Nicaragua due to the tension there, I would have to wage this custody battle through the mail; secondly, my ex-husband had now spent over half a year in

Nicaragua, had numerous contacts whose aid he could enlist and had even married a Nicaraguan citizen; third, if the proceedings worried him enough he could flee again; and fourth, I had already been granted custody by my own state, by my own country, and now they were bailing out and telling me in effect that my American document was meaningless and that my children and I were at the mercy of a warring foreign country and a criminal's whim.

Unless it happens to him or her, a person cannot begin to know the agony of having one's children suddenly taken and then the torment of knowing where they are and being unable to do a damn thing about it. In my frustration and naive trust in the representatives I elect into government I wrote to Senator Bradley. I had heard and read from the media and press of his great concern over missing children and hoped that he would somehow utilize his position to help me. He returned my correspondence saying that he would contact the American Embassy on my behalf.

Still in close communication with the State Department, I received word through them from the Embassy in April 1985 that my ex-husband had been put in jail by the Nicaraguan authorities and upon his release had been given two days to leave their country. The State Department called me at 10:00 P.M. with the date, flight number and time my children were due to depart Nicaragua and return to the United States. The following night they were home with me again.

My children had been home for one month when I received a letter from Senator Bradley. Enclosed was a letter from the Embassy dated April 25 and containing the same flight information I had received. It was May 21 before Senator Bradley ever mailed it to me. In his letter he was "so pleased....to be of assistance...." In this case, "better late than never" is a sick joke.

Since the abduction of my children and their subsequent return, I have become quite familiar with the term "fourth degree misdemeanor". This classification presumes a non-custodial sentence and I had to fight the prosecutor's office and become a sign-carrying picketer to have my ex-husband sentenced to nine months in jail for his crime. (He was released after three months and is presently seeking visitation again).

My battle has not ended with the return of my children as I had assumed it would. I am suing my ex-husband and those who aided him, but since this is not necessarily my right under existing law, I may never be reimbursed for the financial expense of recovering my children much less awarded punitive damages for their trauma and my own. Furthermore, the National Center, with all the money appropriated to it, could not even recommend any counseling services to help us work through this emotional upheaval. The Center was of no help to me either during or after the search for my children.

Through counselling (which I had to find on my own) I learned that my son had been sexually abused by his father while in Nicaragua and that both he and my daughter were physically abused and neglected. Upon their return I spent hundreds of dollars in medical expenses and counselling fees trying to return them to a healthy state both physically and emotionally. Under New Jersey law, although the children's conditions were documented, I can bring no charges against their father for his inhumane treatment of them since this abuse occurred out of state and out of the country.

The aforementioned are only some of the major difficulties I have encountered. I find it shameful to have to admit that, although unwittingly, the Nicaraguan government helped more than my own government in returning my children to me. There is a great need for the implementation of a comprehensive federal law to protect the rights of our children and the rights of their parents and to bring to justice those who choose to violate those rights. I urgently request a public hearing before Congress at which I would most willingly testify with other parents that such a need exists and must not be ignored.

Thank you for your consideration.

Sincerely,

Search hurt by N.J. law

By Kevin G. Keane
Times staff writer

When a parent abducts a child in New Jersey, an investigation isn't launched as much as it's flung to the wind, state officials claim.

"When you get a speeding ticket and you don't pay the fine, what do they do? They issue a warrant for your arrest. So why can't they do the same damn thing here?" asks Richard Ruffino, executive director of the New Jersey Commission on Missing Persons. "It's because everybody is under the impression that if (the abduction) involves the mother or the father, then everything is OK."

Each year 25,000 to 100,000 children in the United States are abducted by their parents, usually in child custody disputes. All but two states consider parental child abduction some type of crime. In New Jersey, interference with the custody of a minor is classified as a class four offense.

And therein lies the problem, Ruffino and other state officials say. In the eyes of the federal government, class four means a non-indictable offense and not a felony. Without a federal indictment, governmental agencies such as the FBI and the State Department are extremely limited in their investigative abilities, officials say.

According to Ruffino, parental child abduction can be increased to a class three offense, but only in those rare instances when it can be proved to a county prosecutor that the safety of the child is very much in doubt. Ruffino said that of the scores of parental child abduction cases reported in the state each year, a "vast majority" remain in the lower classification.

In March, Valerie Seufert, a 28-year-old Lumberton resident, testified before the legislative Commission on Missing Children during a hearing in Camden.

Mrs. Seufert's situation was later described by Commission Chairman Marlene Lynch Ford as a "worst case scenario of . . . bureaucratic red tape." Hers was among the testimony that prompted Assemblywoman Ford to introduce amendments to the state child abduction statutes.

(Continued on Page A8)

Weak state law slows searches

(Continued from Page A1)

Mrs. Seufert testified that her two children were taken from her custody by her former husband in August 1984. Even though it was learned through local sources that the children were living in Nicaragua, federal and state agencies were handcuffed by New Jersey's classification of the crime, she said.

The FBI could not institute a full-scale investigation, the State Department could not revoke her husband's passport, and international assistance agencies could not be involved — all because of the classification, she said.

In effect, the investigation of the Seufert children's abduction was forced to stop at the state line.

"The reason these agencies couldn't help — because New Jersey doesn't consider it a felony — is pretty academic for someone without their kids," Ms. Ford said.

Additionally, law enforcement officials said, the maximum penalty for parental child abduction — 18 months imprisonment and a $5,000 fine — amounts to little more than a slap on the wrist.

"Some people don't seem to pay too much attention to (divorce court) rulings," Ms. Ford said. "And unfortunately, some matrimonial judges don't look after their orders as much as they should. That lends to the feeling that an order given by a matrimonial court is not as enforceable as any other court."

W. Dept. father pleads guilty to custody charges

By ELAINE SILVESTRINI
Staff Writer

WOODBURY — A [illegible]-year-old West Deptford Township man pleaded guilty in Superior Court Monday to charges stemming from his abduction of his two children from his ex-wife and taking them to Nicaragua.

Kenneth C. Seufert pleaded guilty to two charges of interference with custody under an agreement negotiated with the Gloucester County Prosecutor's office, which has recommended that the defendant receive a probational sentence and a fine at the discretion of Judge Elliott G. Heard Jr., according to county Assistant Prosecutor Michael Curwin.

Heard set sentencing for Seufert for Sept. 9.

The defendant was apprehended by authorities at his parents' Red Bank Avenue home in April, more than eight months after the abduction, when he returned to this country because his visa expired, authorities said.

After the arrest, the defendant's former wife, Valerie Seufert, from whom Seufert was divorced on March 29, 1984, was reunited with the couple's six-year-old daughter, Trista, and four-year-old son, Mikah, in the West Deptford Police Station, officials said.

The defendant, who is a registered nurse, apparently took the children last August while visiting them as was his right under the terms of a Superior Court order handed down Nov. 10, 1982, officials said.

Valerie Seufert, a Mount Holly resident, has since filed a $1.9 million suit in Superior Court against her former husband and others who allegedly helped him kidnap the children.

In addition to the Seufert, Ms. Seufert has named in the suit her ex-husband's parents, Gerry and Robert Seufert, George Crispin and the Woodbury Friends Meeting House.

The suit, which describes the environment in which the children were kept in Nicaragua as "warlike and primitive," alleges Seufert used the telephone at the meeting house to communicate with his parents.

Ms. Seufert said she was upset about the recommendation that her ex-husband receive no prison term. "A man takes two kids into a war zone and all he gets is probation," she said.

She added, "The law seems to think that if a parent kidnaps their own children, that's okay."

Ms. Seufert is actively involved in a movement to change the state law as it relates to these situations and has testified before state legislators in favor of new tougher legislation being sponsored by Assemblywoman Marlene Lynch Ford, D-10.

Ms. Seufert's attorney, Charles J. Sprigman, said the proposed legislation could have made the difference in this case. "Maybe that's what we need," he said of the proposed stricter law.

Sprigman claimed if Seufert is given probation, there will be no deterrent to others considering committing this type of crime. "He traded two months in jail for eight months (having the children) away from the mother," Sprigman said.

Sprigman added, "The prosecutor's office did a heck of a job in getting these kids back. But I think a non-custodial sentence is inappropriate."

A-6 The Gloucester County Times, Woodbury, N.J., Friday, September 6, 1985

Pickets object to plea bargain

By ELAINE SILVESTRINI
Staff Writer

WOODBURY — A small group of demonstrators picketed at the Gloucester County Courthouse Thursday to protest of a negotiated plea between the prosecutor's office and a man who has admitted he abducted his children from his former wife and took them to Nicaragua for eight months.

Kenneth C. Seufert, 29, of West Deptford is scheduled to be sentenced in Superior Court Monday after pleading guilty in July to two charges of interference with custody. As part of an agreement with the county prosecutor's office, a probation sentence and a fine have been recommended for the defendant.

Authorities said Seufert was apprehended in his parents' Red Bank Avenue home in April, more than eight months after the abduction of his children, Trista, 6, and Mikah, 4, from his ex-wife, Valerie, of Mount Holly.

The Seufert's were divorced on March 20, 1984, and Ms. Seufert was granted custody, and her former husband was given visitation rights, officials said.

Valerie Seufert, who has filed a $1.9 million lawsuit against her former husband and others she contends helped in the abduction, said Thursday that the defendant is again seeking visitation rights to the children.

She was among the handful of protestors who collected signatures on petitions seeking stronger laws against parental kidnapping in New Jersey.

Jim Kuty, whose daughter's estranged husband has been indicted in absentia on charges that he abducted his son carried a placard bearing the message: "Don't Plea Bargain Children's Welfare," said he took a vacation day off from work to support Ms. Seufert.

Kuty, a Woodstown resident, said he has spent all of his time in the three months since his grandson's disappearance working to locate the eight-year-old.

Kuty said he believes that if the tougher laws were in place when his grandson disappeared, the FBI would have been able to participate in the search and the child would be back with his mother by now. Like the Seufert children, Kuty believes his grandson has been taken out of the country.

"This demonstration is for those people who don'd know they need help" because their children have not yet been taken," Kuty said. "They don't need it till something happens."

Gloucester County Prosecutor Alvin Shpeen Thursday defended the actions of his office in agreeing to the plea recommendation. Shpeen, who noted Judge Elliott G. Heard Jr. will have the option of rejecting the recommendation, said the agreement was within the law, which provides that people guilty of interference with custody are allowed a "presumption of non-incarceration."

Shpeen said he would notify Heard that Ms. Seufert wished to address the court before sentence is imposed.

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881-8569

Father's sentence doubtful predecent

By Kevin G. Keane
Times staff writer

The sentencing this week of a former Mount Holly male nurse to nine months in prison for illegally abducting his children to war-torn Nicarugus is viewed by law enforcement officials as a case involving extenuating circumstances, and its value as a legal precedent may be limited.

Kenneth Seufert, 29, presently of West Deptford, was sentenced Monday in Gloucester County by Superior Court Judge Elliott G. Heard Jr., who earlier had rejected a plea bargain that would have reduced Seufert's sentence to probation and a small fine.

Seufert pleaded guilty in July of abducting his two small children from his ex-wife's legal custody and taking them to Nicaragua. They remained there for eight months, living in a small shack in an English-speaking town on the country's eastern shore, before being ordered to leave for passport violations.

Heard's sentencing reportedly marked the first time in New Jersey history that a parent was given a jail term in an illegal abduction case.

However, in a phone interview Tuesday, while refusing to discuss the case in detail, Heard said his decision was strongly swayed by the peculiar circumstances surrounding the Seufert case, thereby limiting i's use as a precedent in more common custody disputes.

"To abduct the children within the legal confines of the state is one thing," Heard said. "But to carry the children to Nicaragua and a hostile environment is something I don't think was anticipated by the (state) legislators."

Presently in New Jersey, interference with the custody of a minor is classified as a class four, non-indictable offense. Seufert's ex-wife, Valerie, of Lumberton, found such a low classification to be a roadblock in her efforts to retrieve the children.

Without a federal indictment, Mrs. Seufert found, governmental agencies such as the FBI and the State Department are extremely limited in their investigative abilities.

Additionally, penalties for class four crimes rarely involve prison sentences; her case happened to be one of those rare instances.

Assemblywoman Marlene Lynch Ford, D-Ocean, the sponsor of legislation to raise parental child abduction to a class three state offense, said that while she is pleased with Seufert's sentencing, a change in statutes is still badly needed.

"Unfortunately, one tough sentence handed down does not act as a deterrent for violations of custody cases," Ford said.

Her bill is due to come before the assembly for a vote in the next session.

Southwest Texas State University
San Marcos, Texas 78666-4616 AC512 245-2438

Classroom Management
and Discipline Program

February 12, 1986

Arlen Specter, Chairman
Subcommittee on Juvenile Justice
331 Hart, Senate Office Building
Washington, D.C. 20510

Dear Senator Arlen Specter:

This letter is to express strong opposition to the program announcement and planned funding by the Office of Juvenile Justice and Delinquency Prevention of the School Crime and Discipline Research and Development Program.

I am writing as a member of the Texas State Advisory Group, a Commissioner for the Texas Juvenile Probation Commission, Director of the statewide Classroom Management and Discipline Program, parent of two high school students, former director of the statewide Texas Juvenile Justice Center, and former school teacher. My comments reflect a sincere concern for America's youth.

Attached please find my reaction statement regarding the program announcement and a copy of the announcement for your reference. If you need any additional information, please do not hesitate to contact me.

Thank you for your leadership and longtime support of juvenile justice and youth related issues.

Sincerely,

Margaret E. Dunn

Margaret E. Dunn
Director

SCHOOL CRIME AND DISCIPLINE RESEARCH AND DEVELOPMENT PROGRAM ANNOUNCEMENT: A REACTION STATEMENT

Philosophical_Foundations

The basic premise of the announcement for the School Crime and Discipline research project is that crime in the schools is a major problem precipitated by recent federal statutes and judicial decisions. Discussion of school problems in the proposal puts a slanted emphasis on school crime. Undocumented comments such as "some educators would argue that following the burdensome procedures of due process unduly inhibits their ability to discipline a disruptive student in a timely and efficient manner," (page 29603 of the Federal Register, September 27, 1985) contribute to the bias. Beside the fact that most studies indicate more of a problem with discipline than with crime, (Wayson, 1985, Gallup Poll 1985, National Education Association, 1976, Scherer and Stimson, 1984) and that crime problems in the schools are caused by many factors (Safe School Study, Gottfredson and Daiger, 1979, Wayson, 1985), this proposed project has set a very narrow base for analysis.

The major objectives as listed on page 29604 of the Federal Register have been tainted by the distorted background information provided in the announcement. Additionally, these objectives would be extremely difficult, if not impossible, to achieve because the only school districts targeted for inclusion in this project must be "experiencing a high level of discipline or crime problems within the school" and the school must "have experienced several lawsuits or significant threats of lawsuits related to discipline actions in the last couple of years." (page 29605, Federal Register) The specifications for this study limit the project significantly. More objective information would be gained if successful school districts, or a combination of school districts could be studied. By emphasizing problem-ridden districts we may learn more about why these districts are having trouble, but this would not be generalizable to all districts. The support for action is at the far end of the spectrum: districts with high levels of problems and litigation. It would be better, especially when using funds authorized through the Juvenile Jusitce and Delinquency Prevention Act, to emphasize strategies in prevention and early intervention.

Misrepresentation of Need

The Federal statutes and judicial decisions cited in footnote two (should be footnote one) of the announcement are lumped together as if they all pertain to discipline and, further, that they inhibit effective discipline (page 29603, Federal Register). Actually, Goss v. Lopez dealt with due process rights; Tinker v. Des Moines, with free speech; Educaton of all Handicapped Children Act, with free and appropriate education for handicapped students; and Rehabilitation Act of 1973, with prohibiting discrimination against handicapped students. These decisions and legislation dealt with discipline in a secondary manner only. More importantly, it can be argued that since the 1975 Goss and Wood court cases, the Supreme Court actually has been reluctant to expand the limited rights given in those earlier decisions. (Lufler, 1982)

It is difficult to justify this proposed research on the basis of cited court decisions and legislation. Furthermore, the opinions and studies discussed in the background section of the announcement offer even less of a rationale. Citations are lacking for the "some studies" mentioned. Curiously, since much of the announcement is based on the historic Safe-School Study of the 1970's, it is surprising that many of the recommendations from this study are completely ignored. Data contradictory to the general tenor of this announcement, such as the prelimary findings of the recent study by the National Center for Education Statistics, were generally discounted (page 39605, Federal Register). Studies such as The National Youth Survey Report Number 26 on self reported delinquent conduct which indicated that assaults, specifically that of hitting a teacher were down 50 percent since 1976, (McGarrell and Flanagan, 1985) were not included; nor was the research on victimization of high school seniors conducted by the Institute for Social Research which found that during the past 12 months at school: 88 percent of the seniors never had more than $50.00 in value stolen from them; 75 percent never had their personal property deliberately damaged; 95 percent never had been injured by someone using a weapon; and 86 percent never had been injured on purpose by someone not using a weapon (McGarrell and Flanagan, 1985).

Quotations from the 1977 National Education Associaion study and the 1978 Kindsvetter study were included after a discusson of crime and violence, yet the quotes referred specifically to discipline issues (page 39602, Federal Register). The misplacement of these studies added to the overall misrepresentation and distortion of the facts.

Additionally, the announcement quoted a study of the knowledge level of teachers and administrators about "education-related Supreme Court" rulings and found that administrators scored higher (74 percent) than teachers (63 percent) "on a questionnaire about 13 major Supreme Court Cases." (page 79605, Federal Register). What does this mean? How is this related to incidences of school crime, violence or discipline problems? Why is it cited?

Specific citations relative to school discipline were not included, nor were references that separated school crime from dis[illegible] infractions, nor were studies and surveys which called for training of teachers in discipline and for school initiated changes in curriculum, building design, and school procedures.

Research Design

The proposed research project, as structured in the announcement, would lack validity. There are no clear definitions used in this program announcement. Clarification of and differentiation between the type and intensity of discipline problems, criminal acts, and relevant litigation are not included. Without consensus on the data base, diverse interpretations, some probably irrelevant, will result. Any population selected according to the criteria of having experienced undefined high rates of discipline and crime problems and recent suits or threatened suits will be biased from the start and not representative of the general school situation.

The announcement requires each application to include written verification of the collaboration between all members of the "program team" on such factors as planning, implementation, data collection and program refinement processes. Access to school records, police arrest records, and student teacher interviews must also be verified in writing (page 79606, Federal Register). There is no mention of what controls will be used to insure that a team of the type described do not in fact become "change factors" themselves in the activities that the team is charged with observing and analyzing.

In addition, the data selected to be collected would also add to the inherent biases, since only problem ridden schools are included in the sample. It would seem reasonable to look at other schools, as well. A random sample or a stratified random sample would yield more useful information.

Additional Information

The National Association of Secondary School Principals Bulletin indicated that the most common disruptions in schools were tardiness, cutting class, spontaneous student fighting and disrespect for teachers. Possible criminal offenses such as theft and unprovoked assaults were listed at the bottom of the list along with racial tensions. These same school administrators made recommendations to improve discipline. They stated that there should be more parental and community support for the schools and the schools themselves could take the following measures:

Hire more school personnel and counselors and make home visits;
Have in-service training on problem solving for conflict situations;
Reduce staff-student ratio;
Select staff and remove ineffective teachers;
Get teachers involved with students;
Encourage students to talk about problems before they erupt; and
Use Saturdays for students to do make up work and detention.
(Reed, 1983)

Because school problems often are routed in community problems, school districts have to deal also with factors and situations beyond their immediate control. The Safe School Study looked at schools that were experiencing high crime and discipline problems and schools that were not. The study found certain chracteristics typical of schools experiencing low rates of problems. Schools that do not have a high rate of property crimes such as burglary, theft, vandalism or arson, typically fit into a pattern, according to the Safe School Study.

Property loss is lower in:

- Schools whose attendance areas have low crime rates.
- Schools where fewer students live close to school.
- Schools which do not have many nonstudents on the campus during the day.
- Schools where families support school disciplinary policies.
- Small schools.
- Schools whose students say that classrooms are well controlled, rules strictly enforced, and where teachers say they spend more time in nonclassroom supervision.
- Schools where teachers say that the principal works cooperatively with them and is fair and informal in dealing with staff.
- Schools in which teachers do not express hostile and authoritarian attitudes toward students.
- Schools whose students value their teachers' opinions of them.
- Schools whose students do not lower students' grades for disciplinary reasons.

The Safe School Study also found that student violence is lower in:

- Schools whose attendance areas have low crime rates and few or no fighting gangs.
- Schools that have a smaller percentage of male students.
- Schools that are composed of higher grades.
- Small schools.
- Schools where students rate classrooms as well disciplined, where rules are strictly enforced, and where the principal is considered strict.
- Schools where students consider school discipline as being fairly administered.
- Schools where there are fewer students in each class and where teachers teach fewer different students each week.
- Schools where students say that classes teach them what they want to learn.
- Schools whose students consider grades important and plan to go on to college.
- Schools whose students believe they can influence what happens in their lives by their efforts, rather than feeling that things happen to them which they cannot control.

(Safe School Study, 1978)

In dealing with school discipline or crime problems the emphasis should be on preventing problems, on supporting appropriate discipline measures and on making corrections or applying punishment when needed. (Charles, 1985)

Concluding Remarks

It is appropriate to use Juvenile Justice and Delinquency Prevention funds to support school based delinquency prevention. It is, however, quite difficult to support this proposed initiative because in addition to everything already discussed, it is redundant. Much money has already been allocated for making the nation's schools "safer": $5 million for the now defunct School Resource Network, $4.2 million for the National School Safety Center, and now $2.1 million for this initiative. (Suprisingly, no mention of cooperation and sharing of information and resources from the National School Safety Center were mentioned.) All three of these projects were justified by using selected findings from the Safe School Study of the late 1970's.

It is time to look at the recommendations from that study and many others and develop comprehensive school programs aimed at improving discipline. Discipline has consistently been rated the number one problem in the public schools according to the Gallup

Poll. This year in the 17th annual poll on education, the number one suggestion to solve discipline problems was to provide classes for teachers on how to deal with problem children. This approach would eliminate or minimize discipline problems before the problems escalated into criminal behavior or resulted in litigation. If reasonable and logical procedures are developed and used, school districts are less likely to have school crime problems and have little to fear from actual or threatened lawsuits.

One final note: youth in trouble are often troubled youth. It is the responsibility of educators and juvenile justice professionals to be looking for ways to help youth to reach their full potential. We should not waste the little money provided through the Juvenile Justice and Delinquency Prevention Act to undermine the few legal protections allotted to our nation's youth.

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DEPARTMENT OF JUSTICE

Office of Juvenile Justice and Delinquency Prevention

Program Announcement: School Crime and Discipline Research and Development Program

AGENCY: Office of Juvenile Justice and Delinquency Prevention, Justice.

ACTION: Notice of issuance of a solicitation of applications to conduct a research and development program on school crime.

SUMMARY: The Office of Juvenile Justice and Delinquency Prevention (OJJDP), pursuant to section 243 of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, announces a new OJJDP initiative entitled, "School Crime and Discipline Research and Development Program." The primary goal is to test promising strategies for the development, implementation, and monitoring of disciplinary and crime control policies and procedures which are intended to reduce school crime and disorder to provide for a safer school environment.

OJJDP's National Institute for Juvenile Justice and Delinquency Prevention (NIJJDP) invites public or private agencies to submit competitive grant applications to design, develop and test the efficacy of improved disciplinary policies and procedures for the reduction of school crime and disorder in secondary schools. Targeted schools must be experiencing a high level of disciplinary or crime problems. Emphasis will be placed on the assessment of the effects of legislation, case law, regulations and lawsuits related to discipline and crime control. This initiative will require a collaborative effort among researchers, program planners, school administrators, faculty, and law enforcement personnel, as appropriate.

The deadline for submission of applications is December 6, 1985.

FOR FURTHER INFORMATION CONTACT: Deborah A. Wysinger, Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Ave. N.W., Room 742, Washington, D.C. 20531, telephone (202) 724-7560.

SUPPLEMENTARY INFORMATION:

Request for Proposals—School Crime and Discipline Research and Development Program

Table of Contents

I. Introduction
II. Background
III. Program Goal and Objectives
IV. Research and Development Strategy
V. Eligibility Criteria
VI. Minimum Program Application Requirements
VII. Selection Procedures and Criteria
VIII. Submission Requirements
IX. Civil Rights Compliance
X. References

I. Introduction

This solicitation for applications to conduct a School Crime and Discipline Research and Development Program is issued by the National Institute for Juvenile Justice and Delinquency Prevention (NIJJDP), of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), U.S. Department of Justice. The OJJDP and its NIJJDP were established by the Juvenile Justice and Deliquency Prevention Act of 1974, as amended (JJDP Act).

The JJDP Act authorizes NIJJDP to: "encourage the development of demonstration projects in new, innovative techniques and methods to prevent and treat juvenile delinquency" (Section 243(2)) and to "provide for the evaluation of all juvenile delinquency programs assisted under this title in order to determine the results and the effectiveness of such programs." (Section 243(3)).

OJJDP's National Institute for Juvenile Justice and Delinquency Prevention invites public or private agencies to submit applications designed to develop and test promising strategies for the reduction of school crime and improvement of disciplinary procedures and school environment.

OJJDP has allocated a total of $300,000 for the first phase of this Initiative. Up to three projects not to exceed $100,000 each for the initial twelve month budget period will be funded as a result of this competition. It is anticipated that this research and development initiative will entail three to four years of program activity to conduct the necessary planning, implementation and testing. Therefore project periods will not exceed four years. The second phase of this initiative will consist of awards to each of the three selected R&D projects for up to $200,000 for each subsequent twelve month budget period.

This competition will be conducted according to the OJJDP Competition and Peer Review Policy, 28 CFR Part 34, Subpart A, published August 2, 1985 at 50 FR 31365–31366.

II. Background

Creating a safe and orderly school environment is a prerequisite for students to focus their attention on learning. Many of the recent reports on educational reform—while agreeing on the need for improved curricula and graduation standards—insist that little reform can occur unless schools become safer. President Reagan put the problem in perspective while speaking to secondary school principals, "As long as one teacher is assaulted, one classroom disrupted, or one student attacked, then I must and will speak out to give you the support you need to enforce discipline in our schools. I can't say it too forcefully, to get learning back into our schools, we must get crime and violence out." The issue of student rights and administrative control have become a focal point for political discussion.

The most comprehensive recent national study specifically devoted to school crime is the *Safe School Study*, which was conducted by the National Institute of Education (NIE) in the mid 1970's. The major objectives of that study were to determine the frequency and seriousness of crime in elementary and secondary schools in the United States and what schools are doing to prevent it. The findings, published in 1978, indicated that 8% of the nation's schools had a serious problem with crime, that one-fourth of all schools in the country were vandalized in a given month and 10% were burglarized.

Based on student reports, NIE estimated that 2.4 million secondary school students (11%) had something stolen from them in a typical month. Approximately 1.3% of the students (282,000) reported being attacked in a typical month, with more than two-fifth of the attacks involving some injury. Junior high school students were twice as likely to report being attacked as high school students. The risk of serious attack was greater in urban areas. Teacher victimization rates reported in the NIE study were roughly similar to those of students.

A 1983 report on school violence by Jackson Toby, Director of Rutgers University's Institute for Criminological Research, concluded that the NIE data had probably under estimated the actual instances of school violence at the time the survey was conducted ("Violence in School," *Crime and Justice: An Annual Review of Research*, Vol. 4).

Problems with school discipline are not only recognized by the general public—teachers also list discipline problems as a major concern. The National Education Association (1977) reported that 60% of responding teachers viewed managing student behavior as the main problem faced in teaching. Many teachers felt they were unable to even cope with, much less resolve, the discipline problems they faced each day (Kindsvatter, 1978).

The operation of public schools has traditionally been largely a matter for local determination, subject to state control in certain respects. Recently, however, a number of federal statues and judicial decisions have regulated, in one way or another, the activities of public schools,[2] and some of these have engendered state legislative action also affecting local practices.[3] The complexity of this regulatory enterprise is apparent. On the one hand, legislative and judicial decisions set policies at a remote level that are expected to produce consistent behavior in schools. This requires collaboration and cooperation among various levels. The rule or desired practice must be clearly expressed and understood by those charged with implementation. Local administrators must be able and willing to carry out the policy,[4] and where several agencies are responsible for administration, they must agree about their obligations and discharge them in a coordinated and uniform fashion for policy implementation to be complete.

On the other hand, regulation has significance for local officials whether or not they accurately follow specific commands. While appellate courts usually address these discipline and crime control issues on a piecemeal basis, program administrators ordinarily cannot.

The relationship between judicial or legislative regulation and the behavior of those affected by regulatory activity is a complicated matter from a number of perspectives. Courts are mandated to make decisions of specific issues and in contrast school officials need to develop comprehensive policies. For example, based on the United States Supreme Court decision in *Goss v. Lopez*, 419 U.S. 565 (1975), the Indiana State legislature applied that decision through the imposition of procedural rules for short disciplinary suspensions of students.[5] School districts have gone somewhat further by specifying procedures for expulsion and exclusion from school, or for inschool suspension of students and other forms of discipline.

However, school administrators must also decide what procedures are required for other alternative methods of discipline they employ. Another example is the recent analysis of the court decision of the *New Jersey v. T.L.O.*, 105 S. Ct. 733 (1985), where the court provided general guidelines for permissible student searches by school officials, but did not specifically address issues such as: whether students have a legitimate expectation of privacy in lockers, desks or other school property in which school supplies are stored, or standards governing searches of those areas by school officials or other public authorities acting at school officials' request.[6] School administrators and teachers must either abandon procedures for which clear guidance is lacking, which may be undesirable or even impracticable, or they must consider additional safeguards in terms of what will probably be required by courts when they ultimately address the procedural requirements for those alternatives. This latter approach carries with it some significant risks, including the possibility that the action taken will not only be declared invalid but will give rise to a lawsuit for damages predicated upon violation of a student's civil rights.[7]

Some commentators have suggested that certain legislative code provisions and case law may prevent the use of disciplinary and crime control techniques perceived as necessary to maintain a safe education environment. One problem appears to be the effectiveness of the punishment that is both legally acceptable and educationally sound. Several reports indicate that student lawsuits filed against teachers and administrators, the threat of such suits, and the belief that they may be filed inhibit effective discipline in schools. Specifically, lawsuits brought pursuant to 42 U.S.C. Section 1983, as interpreted by *Wood v. Strickland*, 420 U.S. 308 (1975), are believed to influence disciplinary and crime control practices, although empirical evidence is virtually nonexistent. In addition, these practices are influenced by court decision such as *Goss v. Lopez*, 419 U.S. 565 (1975), and *New Jersey v. T.L.O.*, 105 S.Ct. 733 (1985). The following questions merit further investigation: whether changes in the law, including court decisions, have resulted in more or less effective school discipline and crime control; to what extent does the perception that lawsuits might be filed actually inhibit implementation of certain approaches to school discipline and their effectiveness; to what extent do lawsuits (potential suits and those actually filed and decided) have an impact on the effectiveness of school discipline and how widespread are these perceptions and effects; what changes, if any, in the law are desirable.

Opinions differ regarding whether the justice system standards and procedures of due process are appropriate for schools, or, whether they interfere with effective disciplining of disruptive students. Certain studies, supporting the incorporation of justice system due process, associate observance of these standards with more positive student attitudes towards school rules, the legal system and academic achievement. Other educators would argue that following the burdensome procedures of due process unduly inhibits their ability to discipline a disruptive student in a timely and effective fashion.

Preliminary findings based on a 12 percent return from a study currently being conducted by the National Center for Education Statistics on school principals' perceptions of school discipline policies and practices show that only a small percentage of the principals surveyed consider the Supreme Court rulings to be a moderate or large operational burden. The findings also indicated that the principals believed that lack of security personnel, or fear of being sued for disciplining students had little effect on the ability of teachers or themselves to maintain order and discipline students. Other constraints, such as inadequate teacher training in discipline procedures and school law and inadequate alternative placement programs for disruptive students, had a greater effect on the ability to maintain order than those previously discussed. It should be noted, however, that the study findings are very preliminary and that the survey was only of school principals and not teachers.

In assessing the impact of federal case precedents on local school operations, it is important to assess the level of knowledge of administrators and teachers about relevant legislation and major court decisions. A recent survey conducted by Julius Menacker and Ernest Pascarella of teachers and administrators of inner city and suburban Chicago public schools on their knowledge of education-related Supreme Court rulings revealed that administrators scored significantly higher (74%) than teachers (63%) on a questionnaire about 13 major Supreme Court cases. Findings from this survey also revealed an ineffective and haphazard communication network for transmitting important Supreme Court decisions to the schools where they have the greatest impact—at the classroom level.

While there does not appear to be a consensus among educators, researchers and parents regarding the impact of legislation, case law and litigation on school disciplinary policies and procedures, there is national recognition that some secondary schools are experiencing unacceptably high levels of disruption. The magnitude of this problem appears to be greatest among those schools located in urban areas serving junior high populations.

OJJDP has sponsored demonstrations of a variety of innovative approaches designed to reduce school crime, to improve disciplinary policies and practices, to improve teacher and student safety, and to enhance academic achievement. Practitioners in the field have also identified a number of promising approaches that attempt to deal with problems of school crime, discipline and school environment. While there has been considerable attention to various aspects of disciplinary and crime control policies—e.g., the role of law enforcement in schools, appropriate strategies to respond to classroom disruption, improvement of the school environment to prevent delinquency—less attention has been given to the relationship between Federal and State legislation, case law and litigation, and development of comprehensive school disciplinary and crime control policies and procedures.

III. Program Goal and Objectives

A. Program Goal

To test promising strategies for the development, implementation, and monitoring of disciplinary and crime control policies and procedures, which are intended to reduce school crime and disorder to provide for a safer school environment.

B. Major Objectives

1. To identify significant Federal and State legislation, case law, and litigation that are relevant to the development of disciplinary and crime control policies, procedures and practices in selected schools/school districts.

2. To develop clear, consistent discipline and crime control codes, based on analysis of legislation, case laws, state regulations, and lawsuits.

3. To develop strategies to implement discipline and crime control codes.

4. To implement procedures that translate the codes into practice.

5. To document the planning and implementation of approaches to discipline and to school crime in order to identify the essential components of this process.

6. To measure the impact of strategy implementation on the reduction of disciplinary infractions and school crime.

7. To assess the strategies in terms of cost effectiveness and suitability for replication and institutionalization within school systems.

IV. R&D Strategy

This Research and Development (R&D) model is designed to develop and test the efficacy of improved disciplinary policies and procedures for the reduction of school crime and disorder in secondary schools. It calls for the development of policies and procedures based on a careful analysis of relevant legislation, case law and litigation against the schools. This program will consist of three separate R&D projects, which will be coordinated by OJJDP. This initiative requires a collaborative effort at each site among researchers, program planners, school administrators, faculty, and law enforcement personnel, as appropriate. This working group will be referred to as the "program team" throughout this solicitation.

The program team will first conduct a thorough assessment of the school crime and discipline problems, taking into account relevant legislation, case law, and previous lawsuits. This should include the identification of significant legislative provisions and case law that may promote or inhibit the development of effective policies and procedures for discipline and crime problems. It should also include an assessment of the perceived effects of previous lawsuits on discipline and crime control practices. The program team will generate a strategy for crime reduction and improvement of disciplinary policies and procedures in target school(s). The program team should develop clear policy statements and should communicate these policies to those responsible for implementation. Finally, implementation of disciplinary policies and practices should be monitored by school administrators and evaluated by the program team.

Under this initiative each program team *will be required* to conduct a review of existing discipline codes and establish revised school-wide disciplinary policies and procedures based on assessment of legislation, case law and lawsuits. These revisions should be characterized by clear stipulation of sanctions for disciplinary infractions, consistent and fair enforcement of rules, and differentiation between disciplinary violations and criminal acts. Local jurisdictions will be allowed considerable flexibility in determining which specific program strategies offer the greatest potential for improvement of disciplinary practices in their target schools. Examples of strategies for implementing revised policies which can be tested:

1. Involvement of students and parents in the development of disciplinary codes;

2. development of written guidelines and/or statements of understanding with police and courts;

3. development of in-service training for teachers and administrators on their legal rights and responsibilities related to discipline and crime control, including an emphasis on protecting themselves from lawsuits as appropriate;

4. improved communications procedures for day-to-day operations, delineation of respective roles and responsibilities, establishment of cooperative working relationships through written policies and procedures for working with law enforcement agencies and the courts;

5. training of teachers in techniques of effective classroom management and control of disruptive behavior;

6. improved school incident reporting procedures and utilization of crime analysis techniques.

All projects are required to utilize a systematic program development process in both the planning and implementation stages. This process provides a structure for identifying possible relationships between legislation, case law, and lawsuits and discipline and crime control strategies, assessing the nature and extent of discipline and crime problems, establishing clear measurable goals, designating measurable objectives, developing appropriate strategies and interventions, identifying potential obstacles and resources for program implementation, developing work plans, and establishing an on-going data collection and feedback system. It is expected that the assessment and planning process will require six to nine months. *Successful completion of the assessment, policy revisions and action plan will be a requirement for continued funding (by special condition).* The following outline is provided to serve as a conceptual framework for all members of the working team involved in the collaborative effort of the program development process. The ultimate aim of this collaboration is to generate a common focus and shared vision of what the program is being designed to accomplish.

A. Problem Statement

Clear articulation of the problem being addressed requires identification of the various relevant legislation, case law and data sources and utilization of this information to define the nature and extent of the problem.

B. Clear Goals

Researchers and program implementers focus their activities on the problem at hand by delineating measurable goals. Goal statements describe what the organization is ultimately trying to achieve.

C. Theory

A theoretical framework must be developed which clearly outlines why the problem exists and provides guidance for project implementers' use in building their strategies.

D. Measurable Objectives

The statement of the project objectives must specify the time frame for achievement of these intermediary outcomes, the anticipated level of improvement, as well as the basis for measurement of change. Clearly delineated objectives provide the foundation for the evaluation design.

E. Strategies

Interventions and strategies are those selected activities designed to achieve an objective or set of objectives. For the purposes of this initiative, applicants will be allowed considerable local discretion in choosing to test a variety of strategies for policy implementation. The selection and development of strategies or interventions must be based on systematic analysis of crime and discipline problems and relevant laws and regulations.

F. Work Plans

Work plans are to be developed with specific strategies for implementation of project interventions. Fully articulated strategies include specification of two elements: critical bench marks and tasks. Critical bench marks are those key decisions, agreements, or actions necessary to progress with implementation of the plan. Failure to accomplish critical bench marks in a timely fashion will signal program planners to devise a new strategy. To effectively execute strategies, action planners should also specify time frames for task completion and individuals responsible. The action plan serves as a management tool and provides objective standards for achievement.

G. Evaluation

During theprogram development process, researchers and program managers work together to specify key research questions and develop a process and impact evaluation design. Data collection activities are jointly planned and carefully executed. Researchers provide timely interim feedback to program managers on: (1) progress toward executing program strategies as well as (2) success or failure in meeting measurable objectives.

The program development process begins with the initial conceptualization of the problem and continues throughout the duration of the program test. For the purpose of responding to this RFP, applicants must include all components listed in section VI, "Application Requirements." The work plan included in the application will be considered preliminary and subject to continued development and refinement during the planning period to be scheduled for the first six to nine months following the grant award.

NIJJDP will encourage coordination among individual R&D projects in terms of developing and utilizing similar concepts and comparable "core" measures. With cross-site adoption of comparable measures, a substantial data base could be generated. This coordinated effort is expected to enhance the potential contribution of this research initiative to the state-of-the-art of developing safe school environments.

V. Eligibility Criteria

Eligible applicants include public or private research agencies or organizations. In order to implement this program design, it is required that a collaborative relationship exist between researchers, school administrators and justice system representatives, as appropriate. The intent of this initiative is to assess the effects of legislation, case law, regulations and lawsuits related to discipline and crime control; and to develop methods for establishing comprehensive, and consistent discipline and crime control codes, and to determine if the policy has been effectively implemented. School districts targeted for program change must be experiencing a high level of disciplinary or crime problems within the school. They should also have experienced several lawsuits or significant threats of lawsuits related to disciplinary actions in the past couple years. Research organizations will apply directly for grant awards and may choose to provide limited support through subcontracts to schools to cover on-site costs critical for program implementation. The primary cost of implementing the intervention strategies must be supported by available community and school system resources. This requirement is in keeping with the intent of this program to test cost effective program models which would be suitable for replication in other jurisdictions without external funding.

In order to maximize open competition in the award of this R&D grant, "for-profit" organizations are eligible to apply, provided they certify compliance with the following two requirements:

(1) The OJJDP grant award will not be used to supplant the normal profit-making operations of the organization but will serve to support or stimulate the legislatively authorized research and evaluation objectives of NIJJDP.

(2) For at least one year following the termination of this award, the recipient will not compete for or accept any procurement or assistance award supported by OJJDP funds which may have resulted or been derived from the original award.

VI. Minimum Program Application Requirements

Applicants must complete all parts of the application for Federal Assistance (Standard Form 424). Particular attention should be paid to the Budget Information, Part III, and Program Narrative, Part IV. In addition to the requirements set forth under the Program Narrative, the following information must be included in the application:

(1) A succinct statement of your understanding of the goal and objectives of the School Crime and Discipline R&D Program.

(2) A problem statement which clearly documents the nature and extent of school crime and disciplinary problems in the schools or school systems targeted for change. Identify the criteria utilized in school site selection and provide data to justify this selection. Document recent experiences with actual lawsuits or significant threats of lawsuits related to disciplinary actions.

(3) A description of those long-range measurable goals which your program is designed to reach. Specify how goals will be measured, when a substantial level of goal accomplishment is expected, and how progress in meeting goals can be attributed to program interventions.

(4) A review of the theoretical and empirical literature relevant to relationship of legislation and case law to discipline and crime control problems. Include a discussion of the theoretical framework developed to specifically guide the identification and assessment of problems identified at the targeted school system(s).

(5) A description of program objectives which specifies what measurable changes are expected, and when change is anticipated.

(6) A description of assessment and planning process.

(7) A work plan which describes time frames for accomplishing critical bench

tasks and specifies responsibilities for tasks for the planning process. This work plan must provide a detailed description of the six to nine month planning period and a preliminary plan for implementation of program interventions, evaluation activities and for the development of research products. It should also include a plan for delivering training and technical assistance to local school administrators, faculty, and justice system personnel, as appropriate, to assist them in incorporating the program development process into their routine operations.

(8) A preliminary evaluation design which includes research questions, key concepts and variables, research methodology (including sampling procedures and measurement of key variables), and a plan for data analysis and feedback. Applicants must provide evidence that the most rigorous experimental design possible will be utilized in order to increase the strength of attributions of program impact. Applicants must address the issue of coordination with other research sites funded under this program investigating and developing comparable measures of similar concepts across schools.

A Privacy Certificate must be submitted with the application in accordance with funding agency regulations, copies of which are available upon request.

(9) Written verification from authorized officials of all parties involved in the R&D program team (e.g., school administrators, faculty, and justice system personnel) of commitment to collaborate in the program planning, implementation, data collection, and program refinement processes. Access to specific types of data (official school records, police arrest records, student and teacher interviews) must also be verified in writing.

(10) If it is determined to be necessary for the research organization grantee to provide financial support from the grant award to another organization to cover costs critical for program implementation, the application must include: a statement of work for the proposed contract; and the procedures to be followed for competitive selection or a justification for noncompetitive award for these support services.

(11) A detailed budget must be provided for the initial twelve months budget period including travel funds for coordination meetings with other program grantees (estimate costs for three two-day meetings to be hosted by various participating grantees), and any costs which might be required to serve as a host site for one meeting. An annual estimate of costs to complete the R&D program must also be included.

(12) A description of the project management structure which includes proposed staffing plan, brief position descriptions which delineate roles and responsibilities, description of relevant staff experience and expertise, and resumes of key project staff (include as an appendix to the application). The project director must devote a minimum of fifty percent (50%) of his/her time to this effort.

(13) An organizational capability statement which describes relevant organizational experience and demonstrates that the applicant has the substantive and financial capability to effectively administer the project.

(14) The applicant must indicate a willingness to host an on-site visit by OJJDP staff and/or Peer Review Panel.

VII. Selection Procedures and Criteria

In general, all applications received in response to this solicitation will be reviewed in terms of the rigor and feasibility of the R&D design, and thoroughness regarding approaches to planning, implementation and evaluation problems. Applications will be technically evaluated by Department of Justice (DOJ) employees who are qualified by training and experience and by a peer review panel (a group of experts other than officers and employees of the DOJ). Site visits may be conducted by peer review panel and/or OJJDP staff to verify information provided by those applicants ranked as best qualified for further consideration.

Specifically, applications will be rated according to the following criteria and weights:

(1) The problem to be addressed is clearly stated including evidence of knowledge of related literature and justification for site selection (refer to Section V (3) and (4))	15
(2) An understanding of the goal and objectives of this research and development program is clearly articulated, including a description of the goals and objectives of the proposed research (refer to Sections V (3), (4), (5) and (6))	20
(3) The research and development design and methodology is sound and contains program elements directly linked to the achievement of project objectives including written verification of commitment to collaborate and accessibility of data (refer to Sections V (8) and (9))	20
(4) The project management structure is adequate to the successful conduct of the project (refer to Sections V(12))	10
(5) Organizational capability is demonstrated at a level sufficient to successfully support the project (refer to Section V(14))	10
(6) Budget costs are reasonable, complete and appropriate in comparison to the activities proposed to be undertaken (refer to Sections V (11), (12) and (10))	10
(7) The workplan is adequate, clear and feasible and will support the development of useful products (refer to Section V(7))	15

In order to examine variations in state level impact on school crime and discipline only one site will be funded in a given state.

Applications receiving the highest total score on the above criteria will be recommended for funding to the Administrator, OJJDP. Peer review recommendations in conjunction with the results of internal review and any necessary supplementary review will assist the Administrator's consideration of competing applications and selection of applications for funding. The final award decision will be made by the OJJDP Administrator.

VIII. Submission Requirements

All applicants responding to this solicitation should be aware of the following requirements for submission:

1. Applicants which plan to respond to this announcement are requested to submit written notification of their intent to apply to NIJJDP/OJJDP by October 21, 1985. Such notification should specify: the name of the applicant organization, mailing address, telephone number, and primary contact person. This notification should be forwarded to Deborah Wysinger, NIJJDP/OJJDP, U.S. Department of Justice, 633 Indiana Ave., N.W., Washington, D.C. 20531.

2. Applicants must submit the original signed application and three copies to NIJJDP/OJJDP. The necessary forms for applications (Standard Form 424) will be provided upon request.

3. The NIJJDP/OJJDP will notify applicants in writing of the receipt of their application. Subsequently, applicants will be notified by letter as to the decision made regarding whether or not their submission will be recommended for funding. It is anticipated that the grant may be awarded as early as April, 1986.

4. Applications must be received by mail or hand delivered to the NIJJDP/OJJDP by 5:00 p.m. e.s.t. on December 6, 1985. Those applications sent by mail should be addressed to Deborah Wysinger, NIJJDP/OJJDP, U.S.

Department of Justice, 633 Indiana Avenue, NW., Washington, D.C. 20531. Hand delivered applications must be taken to the NIJJDP/OJJDP, Room 784, 633 Indiana Avenue, N.W., Washington, D.C. between the hours of 8:30 and 5:30 p.m. except Saturdays, Sundays or federal holidays.

IX. Civil Rights Compliance

A. All recipients of OJJDP assistance must comply with the non-discrimination requirements of the Juvenile Justice and Delinquency Prevention Act of 1974 as amended; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973 as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; and the Department of Justice Non-Discrimination Regulations (28 CFR Part 42, Subparts C, D, E, and G).

B. In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights Compliance (ORC) of the Office of Justice Programs.

C. Applicants shall maintain such records and submit to the OJJDP upon request timely, complete and accurate data establishing the fact that no person or persons will be or have been denied or prohibited from participation in, benefits of, or denied or prohibited from obtaining employment in connection with any program activity funded in whole or in part with funds made available under this program because of their race, national origin, sex, religion, handicap or age. In the case of any program under which a primary recipient of Federal funds extends financial assistance to any other recipient or contracts with any other person(s) or group(s), such other recipient, person(s) or group(s) shall also submit such compliance reports to the primary recipient as may be necessary to enable the primary recipient to assure its civil rights compliance obligations under any grant award.

X. References

[See appendices A & B.]

Alfred S. Regnery,

Administrator, Office of Juvenile Justice and Delinquency Prevention.

Appendix A

Notes

1 E.g., *Goss v. Lopez*, 419 U.S. 565 (1975) (school disciplinary procedures); Tinker v. Des Moines Indep. Community School District, 393 U.S. 503 (1969) (School discipline-free speech); Education of All Handicapped Children Act, 20 U.S.C. 1401-1461 (1978); Rehabilitation Act of 1973, 29 U.S.C. SS 701-794 (1978).

2 E.g., Ind. Code 20-8.1-5-1 to -17 (1982).

3 See S. Wasby, the Impact of the United States Supreme Court 231-32 (1970).

4 Indiana Due Process and Pupil Discipline Code, Ind. Code 20-8.1-5-6, -10 (1982).

5 National School Safety Center News Journal, Spring 1985, New Jersey v. T.L.O., The Lay of the Law, Diane Mahoney, (p. 31).

6 See e.g., Wood v. Strickland, 420 U.S. 308 (1975).

Appendix B

References

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Epley, Gini B. Crime and Punishment: The Judicial Role in School Discipline and Substantive Due Process. *Education Law Reporter*, Vol. 10 (p. 765), 1983.

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Lufler, Henry S., Jr. Past Court Cases and Future School Discipline. *Education and Urban Society*, Vol. 14, No. 2, February 1982, 169-186.

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Schimmel, David. Discipline, Due Process and Religion in the Schools: Recent Court Decisions Affecting Education (or Controversial Issues of the 80's) submitted to Phi Delta Kappan Journal.

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[FR Doc. 85-23084 Filed 9-26-85; 8:45 am]

BILLING CODE 4410-18-M

27 Camelot Apts.
Marlton, N.J. 08053
Feb. 13, 1986

Dear Sir,

To you and the general public, I'm no one special. But I'm very special to two children who were taken from their roots, to another country, culture, and language, and who are now undoubtedly suffering the pains of loss, bewilderment and guilt. Please open your heart and resources to our situation, as I try to recap my efforts and frustrations, and appeal to you for help.

My son is Zvi Twersky, born April 3, 1973, and my daughter is Shoshana Twersky, born January 26, 1975. I was divorced from their father, Irving Twersky (a.k.a. Ken Twersky, Yitzchak Twersky) in Nov. 1978, after a year's separation. The first time he abducted the children was in Dec. 1979, when he took them for a holiday vacation and hid with them for three months, then petitioning for custody in Rockland County, New York, when we had all been residents in Philadelphia for 6 years. I challenged the jurisdiction of the Family Court, and went so far as to be invited in chambers with a Phila. Superior Court Judge, backing my petition with the Uniform Child Custody Jurisdiction Act. His words to me were, "I can't be bothered with these new-fangled laws." We spent the next five years in a "kangaroo" court that awarded their father custody on the grounds of a "continuity of the children's religious lifestyle". They are now all Hassidic Jews. He was in constant contempt of the court order, but Judge Weiner (elected by the community of said cult) gave me fewer rights each time I petitioned for upholding his own orders.
And so it went, until the Spring of '85, when my mother afforded me the means to file in the Supreme Court's Appellate Division, where we vied for her grandparental visitation rights as well. We succeeded in getting a change of venue, putting us in Family Court of Westchester County, New York, under Judge Barone. Our case was heard and won last June, 1985. That was the last time I saw my children.

I was emotionally and practically immobilized for about two months, without any direction in regard to resources, or information about rights, or education about laws. The Passport Agency in D.C. responded to my letter, only to affirm that my children had been issued passports, stating London as their destination. Through previous knowledge, I knew that London is very often a "springboard" for Jewish people who are moving permanently to Israel. In Hebrew, this act is called "Aliyah".

Judge Barone modified his court order, giving temporary custody to my mother and myself, and issued warrants of arrest for my ex-husband and his present wife. "Donna", from the Nat'l Hotline for Missing Children, instructed me to file a missing person's report in their home town of Ramapo, N.Y., and request that the children be listed in the National Computer (NCIC) since there are warrants out. I spent the month of November trying to get this computer listing, with two counties denying the jurisdiction to act. This was exceptionally frustrating, considering that one of them illegally took jurisdiction when this whole matter opened in 1979. I finally got results from Sgt. DiFranco of the Westchester Warrant Squad, who took it upon himself to become educated in this matter, and filed with Albany, telling me he got the listing. But it will only help in New York, and at this point, it's no help since they are out of the country.

To this day, I have not been given an ' "associate" to work with me from the National Hotline in Washington, although I called a few times in Oct. and Nov. The two agencies that have worked very closely with me are "Services for the Missing", in Gibbsboro, N.J. (run by Nikolette Thomas), and "Childkeepers Int'l", in Lake Worth, Fla. (run by Joanne Currier). They helped me get started on my Washington D.C. circuit. Al Reyes, FBI Supervisor of the Criminal Crisis Unit said the FBI can't help unless a felony has been determined. This became a matter of semantics and interpretation. Since Courts at all levels execute orders in accordance with laws passed by a government designed to represent me, a single citizen, I looked for protection in Federal determinations, but found only inconsistency and evasion instead.

The Israeli Embassy in New York insisted I take my problem to the American Embassy since it's their job to represent me. A gentleman at the Dept. of State said that the way they handle custody cases in that department is to not get involved. Stalemate. He continued to say that he has 3,000 such cases in his file, and if he paid attention to them, he'd get nothing else done. But doesn't that case load scream for attention? The American Embassy suggested I go to Israel, find a lawyer, and go to court under Israeli jurisdiction. That word again!

To my knowledge, my file now sits in the offices of the F.B.I. Criminal Crisis Unit (Al Reyes), the State Dept. of Citizen Consular Services (Elizabeth Soyster), the New Jersey State Police Dept. of Missing Persons (Detective Wayne Price), the National Hotline for Missing Children (Donna), the Ramapo, N.Y. Police Dept (Officer Holmes), the Westchester, N.Y. County Police Dept. Warrant Squad (Sgt. DiNanco), the American Embassy in Israel, the Israeli National Police Dept, and now in the hands of you, the reader.

The time it took you to read this letter is about the time I wait for one official to come to the phone. And I've been making these calls, as well as 200 mile round trip visits to various "proper jurisdictions" for more than 7 months, learning only that my children are in Israel. Period. I am willing, no - dedicated, to help you help me. I would like to request a public hearing before Congress, to which I would look forward to testifying. Through anger and love, I am becoming educated in laws that are contradicted or unknown in agencies that supposedly create and guarantee my rights. I should not have to insist to police depts. that I have a right to a Nat'l. Computer listing under a Federal Law via the Missing Children's Act. I should not have to spend hours and dollars to obtain Social Security numbers that have been filed with my name. Nor should I be sitting here with a copy of the outcome of the Hague Convention, wondering why my country does not uphold a document that 15 countries found important enough to compose.

In closing, can you turn my pain into hope, for me, my children, my extended family, and every family you represent - that we are all equal beyond the realms of politics and oceans; who can threaten the security of a family - children are given to us by God.

Respectfully yours,

Renee Berger

February 13, 1986

To Whom It May Concern

My name is Christine M. Dopke. My children, Dawn Michele and Amy Lynn, have been missing since August 17, 1984. I immediately informed the Philadelphia Police Department of their abduction also informing them of their abductor, Keith C. Dopke, their father. They informed me that there was nothing they could do - They suggested that I go down to Family Court, which I did. I had been granted custody for the children by the Commonwealth of Pennsylvania, Family Court Division on February 13, 1981. I went to Family Court in September they gave me a date to appear in court on November 14, 1985 That was too late. From there I have been everywhere —

Parent Locators
Missing Children Agencies
Private Detectives
Mayor's Office
Governor's Office
F.B.I

What I have been through in the last 18 months is not the issue. What is the issue is that I have receive No help Not from the local, state or Federal levels.

We must make a stand here. You, as elected officials, must take this stand for us. You must make people understand that this a National Epidemic. It affects all walks of life.

You must make The House and Congress understand that the laws must be changed to protect the lives of our children, to expedite matters when a child is abducted. Time is important. It usually takes 8 months before the F.B.I gets involved. By that time — the children and abductor are gone without a trace.

Over 100,000 children are abducted annually. The majority are kidnapped by one of their parents. Many of these children are never found -- Never heard from again! Please I implore you to help us in our fight. God Bless You!

Sincerely
Christine R. Doyle
11141 Waldemire Dr.
2nd fl.
Philadelphia, Pa. 19154
215) 632-6414

STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND WELFARE
DIVISION FOR CHILDREN AND YOUTH
Hazen Drive
Concord, NH 03301

Sylvio L. Dupuis, O.D., Commissioner
David A. Bundy, Director
603 271-4451

February 25, 1986

Senator Arlen Specter
United States Senate
331 Hart Office Building
Washington, DC 20510

Dear Senator Specter:

I would like to provide you with information about the effect that the freeze of JJDP funds has had on New Hampshire. I hope that this information will assist efforts to pass SCR 106.

The freeze is jeprodizing New Hampshire's effort to comply with separation and removal mandates. The Division's advisory board recently made a one year staff appointment for the specific purpose of raising community awareness and developing alternatives to detention in adult facilities. The board budgeted $120,000 JJDP funds for programs with the expectation that the staff person would help develop alternatives in five to ten communities. The freeze has made it impossible to establish the alternatives necessary for removing juveniles from lockups and jails. In short, the effectiveness of the time limited staff appointment is greatly reduced. More importantly, children in New Hampshire will continue to be locked in adult facilities.

I would like to reinforce the important role of the JJDP Act in guiding juvenile justice policy on the state and local level. During the past decade the JJDP Act has been influential in New Hampshire's decision to centralize youth services by creating the Division for Children and Youth Services. The Act served as a model when the state revised its juvenile statute in 1980. Additionally, JJDP funds have been crucial for developing community-based alternatives to the state's secure care facility.

New Hampshire has made significant progress under the guidance of the Act. We have considerable work ahead of us in implementing detention alternatives and other locally based programs. Continuation of the Act and unfreezing of the 1986 funds are essential for us to continue to progress in improving juvenile justice.

Thank you for your support of youth and for your efforts to release the funds we desperately need in order to continue our attempts to improve juvenile justice in New Hampshire.

Sincerely,

Susan Baird

Susan Baird
Juvenile Justice Specialist

cc: A.L. Carlisle

United States Senate
WASHINGTON, DC 20510

February 27, 1986

The Honorable Arlen Specter
Chairman
Subcommittee on Juvenile Justice
Committee on the Judiciary
SH - 327
Washington, D.C. 20510

Dear Arlen:

We understand the Subcommittee on Juvenile Justice will hold a hearing Wednesday, March 5, 1986, to investigate the Administration's refusal to make available to states, FY'86 funds for Juvenile Justice and Delinquency Prevention.

The State of Washington, because of its unique funding cycle, is impacted severely by this action. We have enclosed a letter which outlines the critical situation and the effect it has on many of the State's successful juvenile justice programs. Therefore, we would ask that you raise this matter with OJJDP if you have an opportunity at the hearing.

We appreciate your attention to this matter.

Sincerely,

Dan
DANIEL J. EVANS

Slade
SLADE GORTON

Enclosure

STATE OF WASHINGTON
GOVERNOR'S JUVENILE JUSTICE ADVISORY COMMITTEE
OB-44C • Olympia, Washington 98504-[illegible]

February 7, 1986

The Honorable Daniel J. Evans
United States Senator
702 Hart Senate Office Building
Washington, D.C. 20510

Re: Office of Juvenile Justice and Delinquency Prevention (OJJDP) funding

Dear Senator Evans:

The Governor's Juvenile Justice Advisory Committee (GJJAC) would like to provide the following information regarding the impact of the termination of federal Juvenile Justice and Delinquency Prevention (OJJDP) funding:

> The GJJAC has the responsibility for granting federal funds for delinquency prevention and juvenile justice projects. The Committee analyzes juvenile justice data to identify problems and needed activities. On the basis of the data analysis priorities are established and demonstration projects are selected for funding.
>
> In 1982 the Committee went to an annual contracting/funding cycle covering the period March 1 through February 28 of the following year. This period was selected because it allowed time for federal review of the state's application for funding and receipt of the federal grant award notice.
>
> Notification of award of 1982 OJJDP funding was issued 12/29/81.
> Notification of award of 1983 OJJDP funding was issued 1/10/83.
> Notification of award of 1984 OJJDP funding was issued 2/7/84.
> Notification of award of 1985 OJJDP funding was issued 3/4/85.
>
> As of this date, Washington has not received any portion of the 1986 award, nor any indication that such an award will be made, despite the fact that the state has complied with all requirements established by OJJDP to be eligible for the award. It is our understanding that the Department of Justice has frozen all the 1986 funds, previously approved by Congress, pending a decision on the department's request for recission of the funds.

The result of the freeze and recission request is that OJJDP funded projects in this state will reach the end of current contracts on February 28, with no new funding available to allow them to continue providing services. In addition, new projects which had been approved for funding and had planned to begin operations on March 1, will not be able to do so.

The state has benefitted from the OJJDP program in many ways. Direct service projects which have been proven, by objective evaluation, to be successful have had three years of funded operation to demonstrate their ability to impact juvenile delinquency. Most are continued by private, state and local funding once their value has been proven. In addition, the state has been able to conduct research projects which have contributed significantly to the effective development of the juvenile justice system.

We are including a list of projects which will reach the end of currently available funding on February 28, 1986, and a list of projects which had planned to begin operations on March 1, but which will not be able to begin at all without the aid of OJJDP funding.

The situation in this state is critical. The freeze will cause many effective projects to be discontinued. The recission will not only signal the death of operating projects, but will deny the projects approved for implementation in 1986 the opportunity to prove their value.

Approval of Concurrent Resolution 106 will allow these valuable services to continue.

If you would like any additional information regarding the impact of OJJDP funding on juvenile justice and delinquency prevention activities in Washington and the serious consequences to the state which will result from the termination of this assistance, please let me know.

Sincerely,

Tom Anderson

Tom Anderson
Chairman

TA:clt

Enclosure

CONTINUED PROJECTS

Central Washington Comprehensive Mental Health
Community Substance Abuse
Yakima, Washington

Harborview Medical Center
E. King County/Child Sexual Assault
Seattle, Washington

Lower Valley Family Violence and Sexual Assault Center
Prevention and Treatment of Sexual Abuse
Sunnyside, Washington

North Olympic Alcohol and Drug Center
Youth Substance Abuse Program
Port Angeles, Washington

North Seattle Youth Services
Sexually Abused Boy's Program
Seattle, Washington

Northwest Regional Council
Regional Program Development
Bellingham, Washington

Omak School District #19
Substance Abuse Prevention and Treatment
Omak, Washington

San Juan Community Services Center
Foster Family Training
Friday Harbor, Washington

Spokane County Juvenile Court
Comprehensive Intervention for High Risk Offenders
Spokane, Washington

Lutheran Social Services of Washington
Foster Care and Treatment for Abuse Victims
Spokane, Washington

Walla Walla County
Department of Court Services
Substance Abuse Treatment Program
Walla Walla, Washington

Yakima Valley Conference of Governments
Regional Program Development
Yakima, Washington

NEW 1986 PROJECTS

Division of Children and Family Services
Foster Home Placement for Offender/Dependent Youth
Spokane, Washington

Division of Juvenile Rehabilitation
Parenting Skills for Mothers of Adolescent Sex Offenders
Olympia, Washington

Division of Juvenile Rehabilitation
Drug and Alcohol Abuse Aftercare
Olympia, Washington

Educational Service District 101
Prevention/Treatment for Children at High Risk of Alcohol Abuse
Spokane, Washington

Youth Help of Grays Harbor
Substance Abuse Prevention and Treatment
Hoquiam, Washington

Northwest Youth Services
Networking For Dependent/Offender Youth
Bellingham, Washington

Pierce County Alliance
Long-Term Intervention for Juvenile Prostitutes
Tacoma, Washington

The Salvation Army
Drug/Alcohol Abuse Prevention and Treatment
Grandview, Washington

The Volunteers of America
Street Kids Project
Spokane, Washington

Washington State Youth Coalition
Statewide Youth Coalition
Bellevue, Washington

Womencare Shelter
Parenting Education/Child Abuse Prevention
Bellingham, Washington

Commonwealth of Pennsylvania

PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY
P.O. Box 1167, Federal Square Station
Harrisburg, PA 17108-1167
Telephone: (717) 787-2040
Toll Free (800) 692-7292

Alfred Blumstein
Chairman

James Thomas
Executive Director

February 28, 1986

Honorable Arlen Specter
United States Senate
331 Hart Building
Washington, D. C. 20510

Dear Senator Specter:

I am writing to provide requested follow-up to the testimony I presented during the February 22 hearing you held in Harrisburg to obtain information concerning the impact of the proposed FFY 1987 budget on criminal and juvenile justice programming in Pennsylvania. Specifically, you requested further information on the role our agency (the Pennsylvania Commission on Crime and Delinquency) has played in addressing the problem of the serious violent habitual offender.

Given Pennsylvania's success in developing community-based alternatives to detention for status offenders, our Juvenile Advisory Committee (our state advisory group under the Juvenile Justice and Delinquency Prevention Act) has emphasized programs for the adjudicated delinquent as a major funding focus for the past four years. Within this focus, serious attention has been given to the problem of the serious violent habitual offender. Over the past four years, our funding efforts relative to this problem have included the following types of programs:

- residentially-based treatment for adjudicated juvenile sex offenders;
- day treatment programs for the serious violent habitual offender;
- aftercare programs for youths returning to the community from institutional placement, operated by both the public sector (county probation) and the private sector (both residential and non-residential treatment providers);
- private sector alternatives to secure care ("sight-secure" programs) for serious/violent/habitual offenders;
- vocational training for institutionalized mentally retarded serious habitual offenders;
- private-sector operated independent living for mentally retarded serious habitual juvenile offenders returning to the community following institutional placement;
- drug/alcohol treatment programs for serious habitual offenders;

- a secure treatment program for serious violent juvenile offenders, operated by a private sector agency which has a range of treatment programs available to permit a "continuum of care" approach to this type of delinquent;

- a private-sector operated residential treatment program for serious violent habitual juvenile offenders with mental health/emotional problems; and

- a reintegration program for serious violent habitual offenders in secure placement. This program enables youths to leave security earlier and to move into an apartment-living situation near the security unit, with staff oversight and family participation, prior to official release from secure placement.

During our funding priorities planning process for FFY 1986, our Juvenile Advisory Committee endorsed the problem of the serious/violent/habitual offender as one of two major funding areas. Using FFY 1986 Juvenile Justice and Delinquency Prevemtion (JJDP) funds, the Committee planned to focus heavily on research/dissemination directed toward increasing our knowledge base concerning this type of offender and on replication of successful treatment strategies for working with this type of offender. In addition, innovative programs operated by existing providers and expansion of programs targeting this type of offender will be stressed.

Pennsylvania's programming efforts relative to the serious/violent/habitual offender will suffer if FFY 1986 OJJDP funding is rescinded and no funding is forthcoming for FFY 1987. Our focus on research/dissemination to increase the available information on this type of offender will require longitudinal efforts and, hence, the availability of funds to support these efforts.

In addition, the expansion of existing programs and the development of new strategies targeting the serious violent habitual juvenile offender will require the availability of federal dollars to serve as "seed" money for these programs.

Clearly, Pennsylvania has implemented a number of promising treatment programs for the serious violent habitual juvenile offender. However, we have just begun. Further study of this type of offender is needed in order to develop more effective treatment programs. Replication of promising programs targeting this type of offender must occur. Absent the funding base from which to launch these efforts, our progress in curbing serious violent habitual juvenile crime will be short-lived.

I trust the preceding information will be helpful to you in your continuing efforts to insure the future of the federal Juvenile Justice and Delinquency Prevention funding program. It is a much needed program which, if discontinued, can only result in a backlash of increasing juvenile crime.

Should you require further information, please let me know. I can be reached at (717) 787-2040.

Sincerely,

James Thomas

James Thomas
Executive Director

March 3, 1986

Senator Arlen Specter
Chairman of Sub-Committee on Juvenile Justice

Dear Senator,

As Chariman of the committee on juvenile justice I am sending you information that I believe clearly shows that I and my daughter have received unjust and illegal treatment at the hands of the Chester County government of Pennsylvania. I will describe how agencies within the county government clearly discriminate against fathers.

November 4, 1980 - I was falsely charged by my ex-wife that I removed our daughter from a baby sitter's residence. She swore under oath and later before a judge admitted perjury. The judge did nothing.

April , 1982 - I went to the agency called Children and Youth Services (CYS) to protest that my daughter was living in a horse barn on the second floor. The township authorities declared it unsafe and unhealthy. CYS refused to do anything. I went to the same judge. He sent a fire chief to look at the situation. His remark was "I've seen worse". Again nothing done for my daughter.

May, 1983 - I had been unemployed since January 1, 1983 and was enrolled in a federal government Manpower Retraining Program and had no income. My ex-wife went to domestic relations requesting that I be made to support my child. The master judge told me I would have to get ten dollars a week for support, even if I had to go out and sell drugs to get the money.

July 7, 1983 - My ex-wife and I had joint custody of my daughter. I had custody five days out of every fourteen days. On this date my ex-wife refused to give me my daughter on my turn for custody. I went to the Exton police station and had a policeman come to where the child was. My ex-wife admitted to the policeman that it was my time for custody. She refused to give me my daughter and he refused to enforce the court order that I showed him.

August 4, 1983 - CYS called me to tell me that my ex-wife had charged me with sexually abusing my daughter. They refused me the right to see my daughter. Until I went to court on October 19, 1983 I saw my daughter for one hour of supervised visitation, despite repeated phone calls and letters requesting visits.

September 5, 1983 - I passed a lie detector test regarding my alleged abuse of my daughter. I also showed CYS that my ex-wife had lied about the charge by offering evidence. They refused to investigate my evidence.

October 19, 1983 - My ex-wife on the witness stand again commits perjury when she falsely charged me with abuse. The judge grants me six hour saturday visits in my home.

November 5, 1983 - Before a licensed psychologist and recorded on tape, my daughter tells of sexual abuse by her mother's lover. This is reported to CYS that does essentially nothing, claiming I and my parents had programmed my daughter.

February, 1984 - May, 1984 - Four days of court hearings about my abuse charge are held. My ex-wife admits her lie under oath on October 19, 1983, but still clings to her story. Despite another perjury the judge does or says nothing to my ex-wife. Several reports from psychologists and a noted criminal psychiatrist indicate my innocence, but CYS refuses to accept their own investigation. The judge refuses to make a decision. My ex-wife on April 18, 1984 absconded with my daughter and I have not seen her since. The judge indicated he will not make a decision until the child is returned.

May, 1984 - to Present Time I requested help from the Chester County detectives, and the district attorney's office to aid me in finding my child. I am refused help. I learn in March, 1985 that my ex-wife and daughter had been living on a horse farm only ten miles from the court house in West Chester. Had the detectives tried they could easily have found them. My ex-wife had left the farm in January, 1985. I cannot get any help from any agency to look for my child and the judge who issued a bench warrant for my ex-wife and a court order for the return of my daughter will not raise the charge to a felony. Without a felony charge, no agency will help me.

November, 1985 - I appeal my case to the Childline department in Harrisburg, Pa. As of this date I have not received an answer even though I have called several times and had my state representative ask them about it.

As a last indication of the bias of CYS against me I will relate an incident to you. When I finally got visitation at CYS my daughter yelled excitedly when she saw me and ran and jumped into my arms. CYS said they could not tolerate this and my daughter was restrained physcially in future visits from coming to me until they took her to a visitation room.

I can document the above facts and other information to show that I and my daughter received unjust treatment from the government of Chester County, Pa.

Sincerely,

Peter T. Hicks

Peter T. Hicks
Diamond Rock Road
Phoenixville, Pa. 19460

3/21/86 Mr Hicks received a letter from CYS dropping charges. The battle to retain temporary custody will begin in 45 days

March 4, 1986

Senator Arlen Spector
Chairman of the Sub-Committee
Hart, Senator Building
Room - 815
Washington, D.C. 20515

Dear Senator Spector:

In May 1977, I was forced to spearate from my husband Joseph Edward Young, because he had sexually abused my sixteen year old daughter. He was often abusive to me and I feared for my life.

My husband was arrested for the sexual abuse of my daughter and I filed for a Wife-Abuse-Petition which included barring him from our home for the period of one year. I remained in the house with my three children. My husband had all the utilities cut-off and he got permission to remove all of his clothes, personal things and the family car.

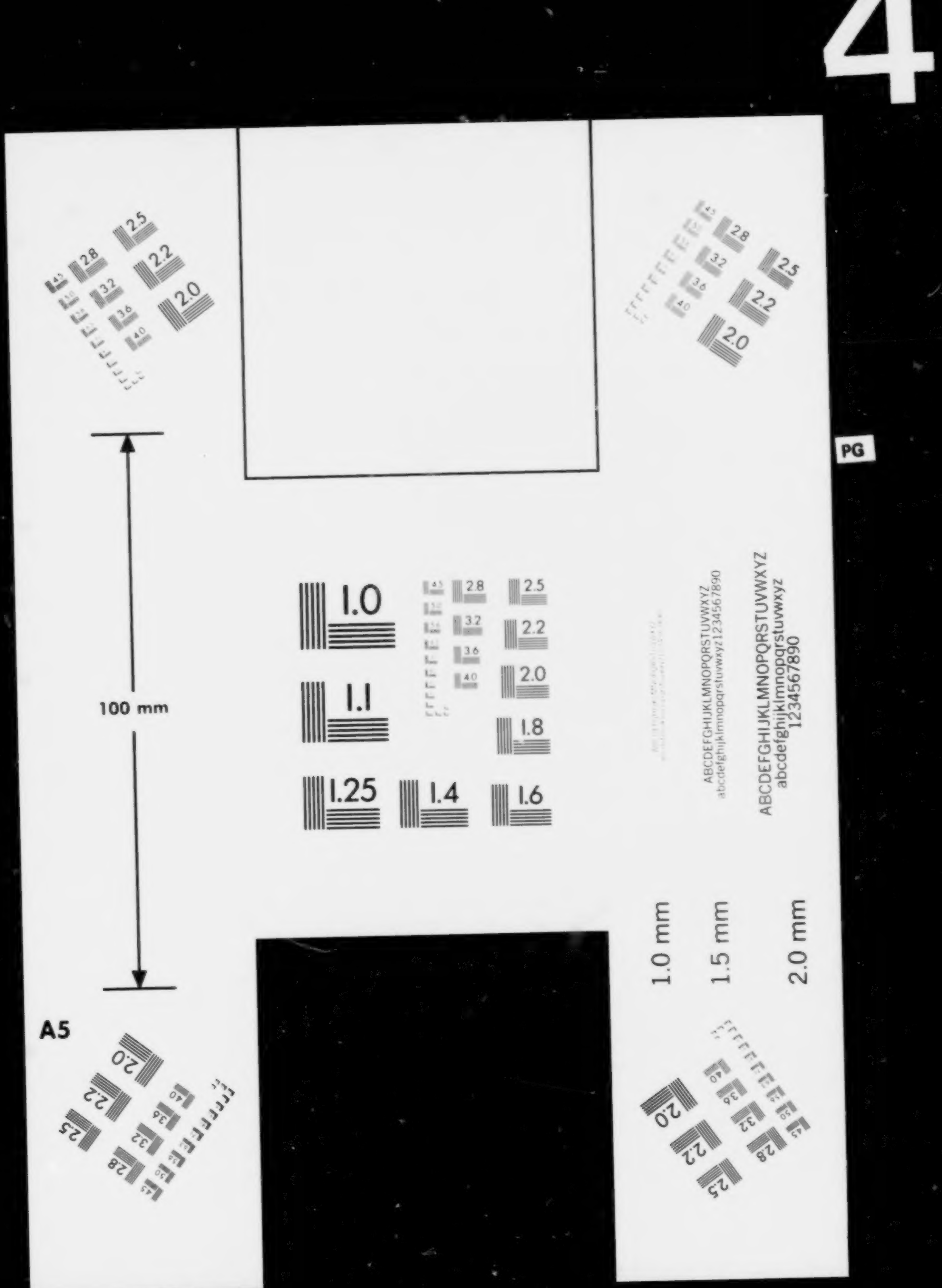
At the time I was a full-time Housewife, I secured a position six months later as an Telephone-Operator-Receptionist. During that time I first filed for the Custody of my young son, Joel, in June 1977, but I heard nothing from the courts. I refiled again in September, 1978, but Joel was abducted by my husband before the hearing was scheduled. This time I was told by the Court-Clerk that I couldn't file for Custody if the child wasn't living with me, the child had to be present at the Custody Hearing.

In September, 1978, my husband went to our home, changed all the locks and waited there for the children to come home from school. My God-father, (Stanley Harrington), bought Joel, home from school, he saw the front doors open wide, he thought that Gino, my oldest son, was home. He told Joel, to tell his brother to come outside because he wanted to scold him for having the doors open .

When Joel, stepped onto the porch, my husband ran out of the house and snatched him into the house and locked the door. My God-father, was parked in the middle of the street, he ran to the house, but was unable to get in. He called me at work.

My husband held Joel, captive while waiting for Gino, to arrive home from school. (Gino, is usually the first-one home). My God-father, told me what had happened, I left work immediately. Gino, arrived home from school while my God-father was calling me at work, he saw his father's car in front of the house, he was afraid to come home, so he called me at work, but I had already left and was enroute home. Gino, wandered the neighborhood not knowing what to do. I went searching for him and found him at a friends house.

I called the local police, they came out, but refused to approach the house, or help in any way. They told me to go to the Round-House (a police-station) in Center-City. I went there, after waiting for several hours to see a judge, I was told that I was in the wrong Court-house, they told me that I had to go to the Family-Court-House for help. I returned to the local police and they told me that they would go with me and help me to get into the house to get our clothes, and Joel,.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When I arrived at my house, no-one was there. My husband had gone, taking Joel with him. I was locked out of the house, because the locks had been changed. I tried to force the door and windows open, but I was told by the police that if I tried to gain entry into my own house, without a key, I would be arrested. They refused to help in any way to get into my house. My son, Gino, and I were locked out with only the clothes that we had on. To this very day we haven't been allowed to get any clothing, or personal things out of the house.

I have been to the Family-Court trying to get permission (like my husband did) to be allowed to get my clothes and personal things. Everytime I tried to petition the court for permission, my request was denied, by my husbands lawyer, and Judge Cipriani.

I haven't seen, or heard from my son, Joel since that day in 1977. I have been denied the natural right of a mother to see her child, for eight heart-breaking years. I have gone everywhere for help, the local-police, Family-court, my Committee-Man David P. Richardson (at that time), Public-School-Board, Congress-Man Peter Kostmayer,Chuck Stone, of the Daily-News and several Lawyers, but to no avail. I have told my story so many times to everyone and anyone whom I thought might be able to help that I am tired of hearing it myself.

When Joel, was abducted, there weren't any agencies like MISSING INC., that offered help to parents like myself. Joel, is now age thirteen and I don't know what he looks like. I want to see my son again. I love him very much. His brother misses him very much. If Joel, had died, it would be painful, but final and I would be able to bear the loss, knowing that I would never see him again, I would go through a grieveing period and eventually go on with my life. But, this way, the suffering nevers ends. You go on indefintely grieveing the loss the rest of your life. The birthday and holiday's are the HARDEST on THE HEART TO BEAR.

We are in dire need of your help. The money that was allocated for the MISSING INC., program has not materialized. Without that money, this agency can not continue to help parents to locate their missing children. MISSING INC., is a Service that we can not do without. Our children are still out there, somewhere, MISSING.

Please help us to get the money for the program, so we can finally locate our MISSING, CHILDREN.

Sincerely yours,

Diane Young

Diane Young

NATIONAL COUNCIL OF JUVENILE AND
FAMILY COURT JUDGES

ORGANIZED MAY 22, 1937

UNIVERSITY OF NEVADA
P.O. BOX 8970
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March 5, 1986

Senator Arlen Specter
United States Senate
331 Hart Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Specter:

The National Council of Juvenile and Family Court Judges commends your vigorous and effective leadership in trying to preserve vital State and National programs threatened by the Administration's freeze of already appropriated 1985 and 1986 OJJDP funds. That over half of the members of the Senate are now co-sponsors of Senate Concurrent Resolution 106 is a tribute to your fine efforts. Juvenile and Family Court Judges join with others in the juvenile justice community nationwide in thanking you.

The Judges are acutely aware of the harm being caused to local and State programs for delinquent, abused and neglected and exploited children because of the freeze which has now been in effect since December 13, 1985. So far as we can ascertain no State has received its 1986 funds, many of which go to court-related programs and services for children who are or have been before the courts.

Some of these funds provide "seed money" for citizen volunteer programs without which courts or divisions of courts, which deal with children, cannot effectively operate in these times of very heavy delinquency and abuse and neglect dockets. For example, Court Appointed Special Advocate (CASA) programs, now relied on by courts in many communities in most States, have been threatened by the freeze. CASAs work with abused and neglected children placed by the courts in foster care and other settings. Other court sponsored volunteer programs work with delinquent children. OJJDP State, as well as national funds, support these efforts and are "matched" by local charitable contributions. In many instances the "Volunteer Coordinator" in the court who trains and directs the citizen volunteers is paid in part or in full by OJJDP State funds now frozen. In others, such as in Mississippi, a major effort to develop the CASA program statewide is now stalled because of the freeze.

The National Council, founded in 1937, represents judges and key juvenile and family court personnel and has Councils in many of the States. The judges volunteer their time to provide professional education and training programs for judges, lawyers, court-related professionals and others. Nationally, through the Council, they help develop policies and improved practices so that Family and Juvenile Courts can better serve the public and the children and families who come under these courts' jurisdiction. Since its start in 1975, OJJDP (and prior to that LEAA) has provided vital on-going financial support for the National Council especially in areas of training, technical assistance information exchange and analyses of juvenile court statistics to determine effectiveness of sanctioning and treatment practices, etc.

These National Council programs are threatened to the extent that funding cycles for individual grants and contracts are impacted by the freeze. For example, the yearly grant that heavily supports our national and State training and educational program is up for renewal as of May 1. Unless the freeze is lifted, there is little chance that 1986 support for this program could be renewed by May 1, thereby necessitating the cancellation of some training and education sessions planned for Spring and Summer this year, the early furloughing of federally supported professional and other staff personnel, etc.

Of course, we realize that federal budget constraints may materially reduce OJJDP's 1987 budget. Like other organizations which depend on OJJDP, we aim to diversify our funding base. However, this precipitous recision attempt is wreaking havoc with our and other national volunteer organizations concerned with delinquent and deprived children. Like the States, once the 1986 Department of Justice Appropriation Bill became law, we planned our previously OJJDP supported programs in the anticipation of receiving 1986 support.

The attempted recision and resultant freeze is causing great harm to essential programs and the effect become more severe each day this constraint remains in effect. We hope that, through your fine efforts, the Congress will see fit to have the freeze lifted just as soon as possible.

Sincerely yours,

Louis W. McHardy
Executive Director/Dean
National College of
Juvenile Justice

LWMcH:ci

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State of South Carolina

*Denotes Executive Committee

March 5, 1986

The Honorable Arlen Specter, Chairman
Subcommittee on Juvenile Justice
Senate Judiciary Committee
SH-327 Hart Senate Office Building
Washington, D. C. 20510

Dear Mr. Chairman:

I am writing to inform you that the National Criminal Justice Association (NCJA) strongly objects to the Reagan Administration's requests that Congress terminate all federal criminal and juvenile justice grant-in-aid programs in fiscal 1986 and reduce significantly the amount of funds that will be available to provide assistance to state victim compensation and victim assistance programs.

If adopted, the administration's proposal to rescind all unobligated fiscal 1986 balances remaining in programs authorized by the Justice Assistance Act of 1984 and the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, as an emergency cost saving measure would undermine states' current efforts to develop and carry out comprehensive crime prevention strategies and to address specific problems such as drug trafficking and prison and jail crowding. The administration's recommendation to lower the cap on the Crime Victims Fund from $100 million to $35 million in fiscal 1986 will curtail significantly states' efforts to improve the criminal justice system's treatment of crime victims.

These administration proposals directly contravene congressional efforts to develop a fair and conscientious process for reducing the federal deficit without precipitously withdrawing budget authority for individual programs. The NCJA fully appreciates the difficult decisions that the Congress faces in acting on a fiscal 1987 budget but believes, as did the Congress in enacting the Balanced Budget and Emergency Deficit Control Act of 1985, that such decisions should be made only after a careful weighing of the nation's spending priorities. Adoption of the administration's proposals would eliminate the consideration on the merits of criminal and juvenile justice and victims programs and alternative levels of funding for them.

444 North Capitol Street, N.W. • Suite 608 • Washington, D.C. 20001 • (202) 347-4900

March 5, 1986
Page 2

The NCJA hopes that the Congress will reject the administration's proposal for rescission of funds for these programs. The NCJA is committed to working with you and other members of the Congress in meeting the important objectives of reducing the federal deficit and responding to the pressing domestic issue of crime.

Sincerely,

J. David Coldren
President

JDC/cjr

PROJECT HEAVY

HUMAN EFFORTS AIMED AT VITALIZING YOUTH

March 5, 1986

The Honorable Arlen Spector
Chairman
Subcommittee of Juvenile Justice
Judiciary Committee
United States Senate
Washington, D.C. 20510

Dear Senator Spector:

Thank you for your current and past support for maintaining the Office of Juvenile Justice and Delinquency Prevention.

We at Project HEAVY/Central City have been watching the current budget debates with great concern. The proposed elimination of the funding of the Office of Juvenile Justice and Delinquency Prevention in 1987 and the freezing of 1986 funds, until Graman-Rudman cuts take effect, will have a devastating effect on the City of Los Angeles and the City of Carson. Project HEAVY/Central City serves approximately 700 clients per year and attendant family members of approximately 2100 individuals in these cities. These numbers are multiplied fourteen-fold as we are part of an association of fourteen agencies in the County of Los Angeles who provide juvenile delinquency and prevention services.

The projects that we are talking about are not "Research", "Model" or "Demonstration Programs", but projects that have been in existence and proven effective for a number of years.

To give up on a prevention and delinquency program when all the crime statistics say we should do otherwise, is sheer folly.

Sincerely,

Joseph M. Pantiga

Joseph M. Pantiga
Executive Director

JMP:gp

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The City of New York

ELLEN SCHALL
Commissioner

DEPARTMENT OF JUVENILE JUSTICE
365 BROADWAY • NEW YORK NY 10013 • 925-9780
7777

March 6, 1986

The Honorable Arlen Specter
United States Senate
331 SHOB
Washington, DC 20510

Re: Office of Juvenile Justice and Delinquency Prevention

Dear Senator Specter:

I am writing to applaud your support for the Office of Juvenile Justice and Delinquency Prevention. You are to be commended for opposing the Administration's request to rescind OJJDP's $70-million budget for the current fiscal year and the elimination of funds for OJJDP in the 1987 budget.

Shelters for runaways, drug-abuse centers, delinquency prevention efforts and research are among programs that would lose federal funding if this agency were eliminated.

The Justice Department maintains that OJJDP grants originally were intended to be experimental, innovative money to fund new programs that state and local agencies were then supposed to take responsibility for funding. One of our programs demonstrates how effectively this purpose has been fulfilled and the importance of OJJDP funds.

In addition to its detention responsibilities, the Department of Juvenile Justice is mandated by the New York City Charter to provide prevention services. Our Aftercare Program was developed to address this mandate. It is a voluntary program designed to meet the needs of children released home from detention by connecting them with educational, medical, vocational and social services in their communities.

Aftercare began in 1983 when the Department secured an OJJDP grant for a pilot program in Manhattan and the Bronx. The success of the pilot led the City to establish Aftercare services for Brooklyn in February 1985, create a Queens unit in August 1985, and institutionalize the Manhattan/Bronx component of the program when the federal grant expired in January 1986.

Today, Aftercare has a staff of 24 and an annual budget of $550,000, all of which is City tax-levy funds. Unlike our other programs, Aftercare does not receive 50% State reimbursement. The program currently has the capacity to serve approximately 700 youth per year through its field offices in the South Bronx, East Harlem, Bushwick and Jamaica.

Our Aftercare Program is one of many examples of the use of OJJDP funds to provide an essential service that would not have been possible without a federal grant, but which was totally locally funded, and even expanded, within a relatively short time. The $70,000,000 rescission, and eventual elimination of OJJDP, proposed by the Administration will have a serious, adverse impact upon the provision of services to the many New york City children in prevention programs made possible by OJJDP funds--programs which make it likely that participants will be able to avoid being arrested and detained.

The Department of Juvenile Justice sincerely appreciates your efforts to ensure continued funding for juvenile prevention programs and encourages your continued support for the important work provided by OJJDP.

Very truly yours,

Ellen Schall

Ellen Schall

COURT OF COMMON PLEAS
THIRTY FIRST JUDICIAL DISTRICT
JUVENILE PROBATION DEPARTMENT
LEHIGH COUNTY COURTHOUSE
P.O. BOX 1548 • 455 HAMILTON STREET
ALLENTOWN, PENNSYLVANIA 18105

PAUL J. WERRELL, M.ED.
CHIEF JUVENILE PROBATION
OFFICER

N.C.I.C. ACCESS # PA 039013G

PHONE (215) 820-3143

March 6, 1986

The Honorable Arlen Specter
United States Senate
Washington, D.C. 20510

Dear Senator Specter:

This letter and this request will be brief. It concerns the possibility of budget adjustments in the area of crime prevention for the current fiscal year and the proposed budget for fiscal year 1987.

As a professional in the area of juvenile justice, specifically Juvenile Probation for the past fourteen years, the number one priority in order for us to have an impact on juvenile delinquency is the availability of effective, workable crime prevention programs. They are cheap, they involve the community which is essential to make an impact on this problem, they work, and they emphasize the old adage that an ounce of prevention is work a pound of cure both in human and fiscal terms.

I strongly urge you to insist on the appropriated level of funding for crime prevention for fiscal year 1986 and maintain that funding level in fiscal year 1987 for Justice Assistance Act Programs.

Thank you for this consideration.

Sincerely,

Paul J. Werrell
CHIEF JUVENILE PROBATION OFFICER

PJW:sjb

TRY-AGAIN HOMES INC.
Serving Children and Their Families

BIG BROTHERS/BIG SISTERS
OF SOUTHWESTERN PENNSYLVANIA
An Affiliate of Big Brothers/Big Sisters of America

March 7, 1986

Senator Arlen Spector
331 Hart Senate Office Building
Washington, DC 20510

Dear Senator Spector:

The elimination of O.J.J.D.P. funding, distributed in Pennsylvania through the Pennsylvania Commission on Crime and Delinquency (P.C.C.D.), for 1986 would be nothing short of disasterous. The effect this elimination would have on the children of our community would be devestating.

Licensed by the Pennsylvania Department of Public Welfare and the West Virginia Department of Human Services, Try-Again Homes Incorporated is a multi-state, private, nonprofit social service agency specializing in child welfare services. Its programs include Residential Care, Foster Care, Counseling, and Big Brothers/Big Sisters of Southwestern Pennsylvania.

Our clients are children who have been neglected, violently abused physically or sexually, emotionally starved of the love and security essential to meeting the most deep-seated needs of all of us, or are simply victims of the poverty in our area.

The agency's administrative office is in Washington, Pennsylvania; with clinical offices in Washington, Uniontown, and Waynesburg, Pennsylvania; and Fairmont and Clarksburg, West Virginia. Try-Again Homes serves seven counties in Pennsylvania and all of West Vriginia.

Try-Again Homes Incorporated began with one group home in Lemont Furnace, Pennsylvania, in 1978. Since then, the agency has grown to serve over 600 clients annually, with over 50 employees and a 1.2 million dollar budget for the current fiscal year.

This growth, and, indeed, the very inception of Try-Again Homes Incorporated would not have been possible without funding from the P.C.C.D. We, therefore, would not have been able to help 600 children in the past year were it not for P.C.C.D. funding. Our Group Home, Foster Care, Intensive Counseling, Intergenerational, and Supervised Community Living Programs were all made possible by seed money from the P.C.C.D.

Let me cite just one example of how a human life was saved and turned around through one of our programs initially funded by the P.C.C.D.

Jamie, a 14-year-old girl, was physically abused by a member of her own family. Her home situation had become so unbearable that whe felt she had to leave. Jamie, with no place else to go, ran away from home and turned to living on the streets--and drugs. But when that didn't work out either, Jamie felt that there was nowhere left for her to turn. She tried to commit suicide.

Big Brothers/Big Sisters • Counseling • Foster Care • Residential Care
Administrative Office [illegible] Box 1228 Washington PA 15301 412 225 0590
[illegible] Fairmont WV
[illegible] 1 800 245 4453

Foutunately, a friend took Jamie to the hospital and then put her in touch with Try-Again Homes. This was the beginning of a new life for Jamie. (Jamie's story is told in full in the enclosed copy of a newspaper article.)

This "happy ending" would not have transpired without the P.C.C.D. seed money that established our Supervised Community Living Program, the program that helped Jamie turn her life around. Without the help of the P.C.C.D. and Try-Again Homes, today Jamie would be on the welfare rolls or back on the streets, perhaps contemplating another suicide attempt.

Now, that nightmare for Jamie is over; and there are many more children like Jamie, who have been abused or neglected, and who--today, tonight, and during the many tomorrows--will know the security and human love of a family through the care of Try-Again Homes Incorporated. This has been made possible through funding from the P.C.C.D.

This year we have even more children on our waiting list, and these children need more help than we alone at Try-Again Homes can give. Our Foster Care and Group Home Programs cannot accept all the child referrals that we receive, and our Big Brothers/Big Sisters Program alone has a waiting list of 150 children.

Jamie's story is but one example of a success story that is a direct result of O.J.J.D.P. funding. There are many more disadvantaged and troubled children who have benefited and will benefit from O.J.J.D.P. funding.

Senator Spector, I strongly urge you to do all you can to prevent the elimination of O.J.J.D.P. funding. It would be a terrible and devastating thing to lose even one child to the streets, when that result can clearly be avoided. The conclusion is logical; the obligation is clear.

If you have any questions about our agency, or if you need additional information, please feel free to call me at 412-225-0510.

Sincerely yours,

Georgia Medency

Georgia Medency
Associate Director of Development

gm
Enclosure

cc President Ronald W. Reagan
Attorney General Edwin Meese III

Mon Valley - Washington Edition

Women / Style

SUNDAY Tribune-Review

Runaway Finds New Life Through 'Try Again'

By SUE HIRSCH
For The Tribune-Review

Jamie is a confident, pretty 20-year-old raising her 22-month-old baby, with faith in God, in herself and in her family. However, her bright outlook on life is a complete reversal of her troubled teen-age years that were fraught with confusion, depression and uncertainty. She attributes her improved attitude on life to the Try Again Homes program in Washington.

"I was confused. It was just about everything in general," Jamie said of her teen-age years during a frank and sometimes emotional discussion of her life. "I was real hard core, street-oriented." She was using drugs and overdosed at one time in an attempt to end her life. After taking the overdose, however, Jamie called a friend in Washington and asked for help. The friend took Jamie to the hospital, and put her in touch with Try Again Homes, which was the beginning of a new life for her.

"Try Again was the best thing that ever happened to me," Jamie said. The counselors and the house parents in her group home became family and friend to her, helping her turn her life around.

"When I entered Try Again, boy how wicked I was. I was really hard core," Jamie said. She said she lived on the streets, "doing whatever you can to survive. You get used, misguided. Physically, emotionally, mentally misguided." When she was a child her parents divorced, though her mother has since remarried. Jamie said she left home at age 14, after a violent incident with a distant family member that she refuses to discuss. Jamie said at first she blamed herself for that incident, feeling that she had done something wrong or somehow deserved the life that she was leading. After leaving home, she turned bitter after being out on the streets for a while.

"Some things I did for selfish reasons, others I did for attention, not realizing it, though." She said she ran away, experiencing feelings of devastation and loss.

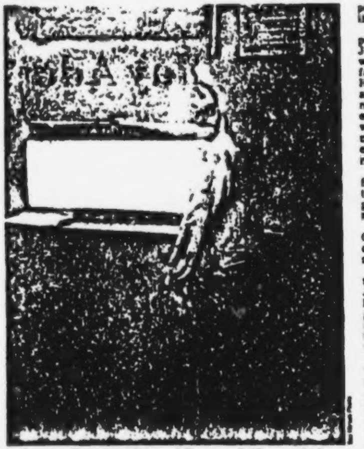
She used people and drugs as retaliation to the way she felt she had been used. After realizing that the street life wasn't the way for her, she tried to commit suicide.

"Nothing seemed to matter anymore. I knew I had an alternative, but I didn't know if that's what I wanted to do — go in a group home or end it all right there," Jamie said.

After the suicide attempt, Jamie realized that suicide was not what she wanted. A representative from Try Again Homes came to the hospital and explained the program and the responsibilities she would have within the program. When Jamie finally entered the program, she was restricted to the premises under a court order. She was not even permitted to enter the street to retrieve a lost Frisbee.

As she slowly regained her freedom, she began losing the bitterness she had been carrying with her.

"You have to make it work. You have to be there and want it to work. Those people in Try Again homes have so much love and understanding. It's what you make of it, really," she said. "I didn't really understand who I was and where I was going when I entered Try Again." Jamie said the people involved with Try Again allowed her a new chance to improve her life and family relationships and gain confidence in herself.



Jamie: Escaped Dismal Future Of Street Life

"My mom was real supportive in it all," Jamie commented. She hopes that she will be able to be as supportive to her daughter as she grows up.

Jamie's life after leaving Try Again Homes has not been easy. The friends she made while in the program have helped her through the hard times.

After leaving the Try Again program, Jamie married and in July of 1982 her daughter, Jodi, was born, giving Jamie a new faith and hope for the future. However, shortly after the baby's arrival last year the young woman's life was thrown into another upheaval when her husband was found dead from carbon monoxide poisoning in his car outside their home. The death was ruled accidental.

Jamie said her family and friends helped her through that time. Her little daughter also played an important role in her recovery.

She describes Jodie as "a gift of God, a blessing in disguise." Her daughter, she says, is a continued source of hope.

"Jodie just does so much for me that she doesn't even know it," Jamie said. She has vowed to offer her daughter the knowledge she gained from her experiences, hoping to spare her child the hard times and uncertainty that she went through.

"I never want for her what I went through. I try my hardest to provide and take care of her," Jamie commented. "I want to affect Jodie's life and be there like my family and Try Again was there for me," she added. Jamie said her own mother and the counselors at Try Again have helped her to set values and guidelines for Jodie.

"I don't think that I could be the parent that I am now and have the patience and willingness to grow with her, not just as a mother, but as a friend, if it wasn't for Try Again," Jamie said. "Try Again can offer much to young, confused kids. Try Again didn't only make me a better person, it made me a better parent."

She added that through her experience with Try Again, she has learned the importance of believing in yourself. She wants her daughter to grow up with a positive attitude and self-image. Jamie said she hopes to be a friend as well as a mother to Jodie.

Jamie is now a confident, outgoing individual who feels she has her whole life ahead of her. She looks on life as a challenge, and is ready to take the responsibility of raising a child on her own, though she is only 20 years old.

Five years ago she had faith in nothing. Since then she has turned her life around, going from a kid on the street with no future to a mother who can cope with life and strives to give her child all the hope and joy she can.

"I just wish that all these young girls and all these mothers out there could share this type of relationship and be grateful for what they have," she said.

The adage says life begins at 40, but for Jamie, a new life began at 15.

Voyage House, Inc.
1431 Lombard Street, Philadelphia, PA 19146
215 545 2910

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Francis J. Stoffa Jr
Executive Director

March 10, 1986

The Honorable Arlen Specter
United States Senate
Washington, D.C. 20510

Dear Mr. Specter:

I am writing to you to voice my serious concerns over the possible loss of Federal Juvenile Justice Funds, as has been recommended in the latest Reagan Administration budget. VOYAGE HOUSE is a federally funded program for runaway/abused/homeless youth, providing services in the City of Philadelphia for the past 15 years. During the past year we have been able to provide services to over 6,000 youth in our area. Critical to the very survival of many of these youth is the continued availability of crisis intervention programs such as ours. Loss of the funds that support our program would be devastating, and would only lead to increased, and more severe problems for these youth throughout the Juvenile Justice system.

On behalf of all of our youth, we would appreciate your efforts and support of juvenile justice programs and funding. The continued availability of these funds are crucial to runaway and homeless youth. If we can be of any support to you in this regard, please feel free to contact me.

Sincerely,

Francis J. Stoffa, Jr.
Executive Director

FJS:jfv

Est 1971 – Pennsylvania's First Runaway and Homeless Youth Center

The University of Georgia
School of Social Work
Tucker Hall
Athens, Georgia 30602
Tel. (404) 542-3364

March 14, 1986

Senator Arlan Specter
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Specter:

I am writing to you in your capacity as Chairman of the Senate Subcommittee on Juvenile Justice regarding the Office of Juvenile Justice and Delinquency Prevention. My observation is the OJJDP has done a lot of good for the youth of Georgia. It has been a source of seed money to stimulate the development of prevention and treatment programs at the local level. Over the past three years I have served as Project Director of the School-Juvenile Court Liaison Project which is funded by OJJDP at $20,000 per year. This modest grant has enabled 10 rural counties to take the initiative to develop prevention programs geared to the unique needs of the youth in their respective communities. More importantly, the grant has enabled these communities to develop self-sustaining mechanisms to continue their planning and intervention activities. The enclosed article published in the recent edition of Juvenile and Family Court Journal describes the progress of five of the communities.

Based on my experience, I firmly endorse the continuance of OJJDP. Thank you for considering my opinion.

Sincerely,

P. David Kurtz

P. David Kurtz, Ph.D.
Professor of Education and
Social Work

PDK:fec

Enclosure

An Equal Opportunity / Affirmative Action Institution

GEORGIA DEPARTMENT OF
COMMUNITY AFFAIRS

COMMISSIONER
Jim Higdon

GOVERNOR
Joe Frank Harris

March 14, 1986

Honorable Arlan Specter
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Specter:

I am writing on behalf of Georgia's Governor's Advisory Council on Juvenile Justice and Delinquency Prevention to voice our support for the continuance of the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

Since 1976, Georgia has, with support of funds made available through OJJDP, made significant strides in improving our state's juvenile justice system and on the provision of services for Georgia's troubled youth. Juveniles are now rarely incarcerated with adult offenders and status offenders are no longer routinely detained with delinquent offenders. These changes have been brought about, in large part, because of the national leadership and financial support provided by OJJDP.

Charged with the administration of Georgia's grant program, the Governor's Advisory Council has utilized those funds to stimulate, on a local and state level, efforts to better serve the needs of our troubled youth. The annual plan for allocation of the federal award, and the development of funding categories, is based on the input received from local communities and local governments, as well as state youth-serving agencies and organizations. Since 1976, over 300 grant awards have been made throughout the state, providing services to approximately 40,000 youth. Group homes and emergency shelters have been established with JJDP seed money and are now "owned" by the communities which they serve. Innovative and successful treatment programs now provide services to juveniles in lieu of placement in institutions. Every juvenile justice professional now has available quality training by which to heighten their abilities to serve their caseload. A statewide management information system is being put into place which will serve to coordinate the various state and local juvenile justice agencies. As a result of these efforts, almost every local and state project now serving juvenile offenders was established by use of OJJDP funds, with the community subsequently assuming ownership of the program.

While significant strides have been made in the last ten years, much work remains to be done towards improving Georgia's juvenile justice system. The Governor's Advisory Council continues to strive, with use of OJJDP funds, to improve the system and provide services to our troubled youth. We feel that our job is not complete, however, until no juvenile is placed in an adult detention facility, until status offenders are removed from secure juvenile detention within the amount of time allowed by federal guidelines, and until those children who come into contact with the juvenile court system receive the attention appropriate to their particular needs.

I thank you for your continued support of the Office of Juvenile Justice and Delinquency Prevention. The Governor's Advisory Council is appreciative of your efforts to ensure that OJJDP continues to fullfill the mandates of the JJDP Act and encourage you to remain supportive of this needed program.

Sincerely,

Henry E. Dufour

Henry E. Dufour, Chairman
Governor's Advisory Council on
Juvenile Justice and
Delinquency Prevention

HD:jcd

GEORGIA ASSOCIATION
OF
INDEPENDENT
JUVENILE COURTS

1975

RESOLUTION

Resolved by the Georgia Association of Independent Juvenile Courts, That the Association supports the programs and activities of the Office Of Juvenile Justice and Delinquency Prevention of the United States Department of Justice, and further, the Association urges the Congress and the President to provide continued funding support for the Office of Juvenile Justice and Delinquency Prevention.

Adopted this the 20th day of March, 1986.

JUVENILE COURT OF BARTOW COUNTY
P. O. Box 1051
CARTERSVILLE, GEORGIA 30120
Tel. 386-2730

H. M. CRANE, JR., *Judge*

March 17, 1986

The Honorable Arlen Specter
United States Senator
331 Hart Senate Office Building
Washington, D. C. 20510

RE: Fiscal Year 1986-1987 Appropriations
Office of Juvenile Justice and Delinquency Prevention

Senator Specter:

Although it is unusual for me to write a Senator from another state, I feel compelled to write you as a member of both the Senate Judiciary and Senate Appropriations Committees.

I have been informed that the impression has been given, to both committees, that Georgia feels the Office of Juvenile Justice has had the effect of "stifling local initiative in Georgia". On the contrary without OJJDP Georgia would have very few alternatives to secure detention. Many of the local initiatives for which Georgia has received national recognition would not exist if it were not for OJJDP funding.

My home county which is a rural county, rapidly changing to an urban community, has little local money for community based juvenile programs, but it has benefited from several programs initially funded by OJJDP. These are:

(1) We have based in my county a Community Treatment Program which is an intensive supervision program for juveniles who would, without this program, be detained in secure placements out of county. This program, over the last five years has prevented annually, for my county alone, an average of 5,640 child days of secure detention.

(2) For a number of years we had, in this county, a crisis intervention program which effectively reduced my county's detention of status offenders to zero.

(3) On the state level we participate in an Outdoor Therapeutic Program, operated by the Division of Mental Health of the Department of Human Resources, which was originally funded entirely by OJJDP funds, and provides a previously nonexistent resource for emotionally disturbed young people.

(4) My staff along with the state staff assigned to my Court participate in a joint training grant funded by the OJJDP which seeks to upgrade the quality of services offered in local communities.

(5) The Georgia Council of Juvenile Court Judges sponsors, utilizing OJJDP funds a Purchase of Services Program, which provides funds to purchase, in the local community, services such as tutoring, psychological services, restitution programs, transportation and alternative housing. This program presently serves my county and 87 other Georgia counties. In my county and others these programs would either not exist or would be severely limited without OJJDP funds.

(6) At present there are operating in various counties law related education programs, school-court liason programs, in-school probation programs, group homes and many other community based programs that would not exist without OJJDP funds.

Senator, Georgia is a state of 159 counties, outside of urban communities funding for local programs in lieu of detention is almost nonexistent. I have been involved in juvenile justice in Georgia for almost 15 years and during that period, almost without exception, all innovative programs dealing with the programs of youth in Georgia have been begun as a result of federal funding. Contrary to what some have said, almost no local juvenile justice initiatives have been done in rural Georgia without OJJDP funding. In my opinion OJJDP has awakened local initiative in Georgia and has shown communities across the state examples of what can be done by concerned communities to alleviate their juvenile justice problems.

Thank you for your past help. Continue your efforts to fund OJJDP.

Sincerely,

H. M. Crane, Jr.
Judge
Bartow County Juvenile Court

HMCjr/ac

cc: Senator Mack Mattingly
Senator Sam Nunn
Rep. George "Bubby" Darden
Hon. Othniel W. McGehee
Mr. Clayton J. Branan

Juvenile Court of Floyd County

Old Floyd County Courthouse
North Fifth Avenue
Rome, Georgia 30161
(404) 291-5180

Honorable
TIMOTHY A. PAPE
Judge

March 17, 1986

The Honorable Arlen Specter, Chairman
Subcommittee on Juvenile Justice
Committee on the Judiciary
United States Senate
Washington, DC 20510

RE: Office of Juvenile Justice and Delinquency Prevention

Dear Senator:

I have been recently informed that Congress is considering terminating all funding to the Office of Juvenile Justice and Delinquency Prevention. I would appreciate your considering my thoughts concerning such matters.

I am a Juvenile Court Judge in a community of approximately 90,000 people. In the past four years, I have seen five to seven children come before me for various offenses and the supporting psychological data informs me that these children, without help, will most certainly rob, murder, and/or rape someone in the next several years. As a Juvenile Court Judge, I am aware that there are absolutely no programs, federal or local, that can offer these kids the kind of help that is needed. As a Juvenile Court Judge, I am given the legal as well as moral obligation to try and offer these children programs which will hopefully deter their predicted future behavior. My obligations are not just to these children, but to the community who will become their future victims if I do not succeed.

There are those who argue that programs dealing with children should be locally controlled, but given the realities of the availability of local monies (our local county commission mandated a 10% reduction of all budgets in 1986), local funding of such programs will simply not be forthcoming. In addition, the problems of the kinds of kids that I have just spoken of are of such a magnitude that there is no way that local funding can be adequate to deal with those problems. While federal monies, of some necessity, are often tied to federal regulations, I would rather have the regulations than no funding at all. And, to assume that local communities would be better off without such funding is, in my estimation, not only unrealistic but foolish.

There is not too much funding of juvenile justice and delinquency efforts, there is simply too little. The Office of Juvenile Justice and Delinquency Prevention has provided this community with funds in past years which have allowed us to provide local programs such as counseling for juvenile offenders by licensed psychologists, tutoring programs during the summer months, a Symbolic Restitution Program, and a Victim Restitution Program. In the last two years, our Symbolic Restitution Program has provided this community with over 6,000 man-hours of service and over $2,300.00 has been paid to victims under the Victim Restitution Program. Such programs are absolutely necessary in order for local communities to have any chance of developing programs to assist children. I urge you to support the Office of Juvenile Justice and Delinquency Prevention. And the alternative, please be aware that whatever the problems that may exist with this particular office, the underlying problems with children and the need to develop programs for children still exists. I would strongly suggest that the elimination of such a program should only be done if Congress has the foresight to recognize that some national mechanism needs to exist in order to provide funding on a local basis for programs dealing with children.

Please understand that the problems giving rise to juvenile delinquency and child abuse are becoming more numerous and more complex. It is a problem that is not going away. Instead, it is becoming more and more critical. You, as a Senator, are in the position to hopefully make a favorable impact on the quality of life for your own constituents and their children by supporting programs which recognize the importance of dealing with psychological, environmental, and emotional problems of children when attempts to correct those problems have their greatest potential - the juvenile years.

Should you have any questions or should I be able to assist you in any way, please feel free to contact me at your convenience.

Sincerely,

Timothy A. Pape
Judge, Juvenile Court
Floyd County, Georgia

TAP/cez

JUVENILE PROBATION DEPARTMENT
TOM GREEN COUNTY COURTHOUSE
SAN ANGELO, TEXAS 76903-5850
PHONE (915) 653-2385 Ext. 365

Roy Robb, Chief
JUVENILE PROBATION OFFICER
TOM GREEN COUNTY, TEXAS

March 19, 1986

Honorable Arlen Specter
United States Senate
Hart Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Specter,

The Juvenile Justice and Delinquency Prevention Act Monies are needed to help children!

As past-president of the Texas Probation Association, I along with Amador Rodriquez, Chief Juvenile Probation Officer in Cameron County, Texas an another past president of the Texas Probation Association respectfully request you assist those of us delivering services to children to maintain the means in which to be effective.

We do not, nor can we state how these funds are expended anywhere but in Texas. But, in Texas we can state that all federal funds under this program are expended to purchase service for children. At this time there are 70 grants serving 125 of the 254 counties in Texas. No federal funds are expended for salaries, travel of staff, or administrative costs. All monies are expended for the placement of children, thereby diverting children from placement in State Institutions and meeting federal guidelines.

This money is cost effective and ran very efficiently by The Governor's Office. Realizing, that programs need to be trimmed it is our position that to totally eliminate a program as effective as the Juvenile Justice and Delinquency Prevention Act would be a travesty.

Sincerely,

Roy K. Robb, Chief
Juvenile Probation Officer

RR/sl

national fund for runaway children

the national network

of Runaway and Youth Services, Inc.
905 - 6th Street, S.W., Suite 411, Washington, D.C. 20024 (202) 488-0739

The Honorable Arlen Specter, Chairman
Senate Subcommittee on Juvenile Justice
327 Hart Senate Office Building
Washington, D.C. 20510

March 19, 1986

Dear Senator Specter:

Thank you, Mr. Chairman for this opportunity to share with you the National Network of Runaway and Youth Services, Inc. views on the critical need for Juvenile Justice programs, as they are outlined in the Juvenile Justice and Delinquency Prevention Act.

Contained in this statement are the views of the National Network of Runaway and Youth Services, Inc. as endorsed by the Executive Director and the Chairman of Board of Directors. Our testimony reflects the needs of our nation's youth and their families, as observed by our membership as they work day by day with troubled youth and families. The National Network represents over 1000 youth serving agencies nationwide. Member programs encompass runaway centers, diversion programs, drug/alcohol prevention, adolescent group homes, foster care, independent living, and teenage parenting.

These programs and others working for the reunification of families, deliquency prevention, and the enabling of all young people to become productive members of society, are the very projects placed in jeopardy by the current administration's informal freeze of December 1985, the formal rescission of FY 1986 funds, and the zero funding level called for in FY 1987. Juvenile Justice funds are a major source of revenue, and/or a significant leverage for other monies. Without this federal incentive, programs and more importantly our nation's future, many youth, will lose their potential for development.

One of our member agencies, the Youth Service System of Lincoln, Nebraska, informs us that Nebraska would not even have attempted "de-institutionalization" three years ago without

JJDPA funds, and the elimination of JJDPA would kill any incentive the state has to continue the pursuit of this goal.

The December 1985 "freeze" placed on FY86 funds--already appropriated by Congress and approved by President Reagan, placed in limbo the 20 new programs supported by JJDPA in Nebraska. The rescission request further exacerbates the situation.

The only runaway shelter, Open Door, in Montgomery County, Maryland receives 53% of its budget from the state's Juvenile Justice formula grant. This shelter can not access a replacement for this funding -- and would most likely close. Where will the 150 youth needing shelter in Montgomery County find assistance? The state of Maryland does not have the capacity nor the excess revenue to bridge the gap created by the loss of this program and others similarly affected.

Before JJDPA, the scenario in Galveston, Texas was as follows: His mother was picked up by police officers on a bad check charge and taken to a jail in a neighboring city. John, 16, and his two younger brothers, 10 and 12, were put in the county jail because it was the only "care" available. John was an honor student in high school. He missed so many days while he was in jail that he failed for that semester and dropped out of school because he was reluctant to face his friends who were now seniors.

With JJDPA in operation a young person today would encounter a much different set of circumstances in Galveston. Due to this Act, with it requirements for deinstitutionalization and jail removal of young people, Galveston County now has a continuum of services for young people who are high risk situations. Now there is a shelter for young people where they can continue school. Assistance is available to a mother to help keep the family together and get her financial problems under control.

During the period from October 1984 to September 1985, Galveston County Juvenile Probation received $83,000 in JJDPA funds through a state grant. All of these funds were used for "purchase of juvenile services" on a local level. Specifically, they were used for "purchase of juvenile services" on a local level. They were used to obtain individual and group counseling services for 46 youth, 596 emergency shelter days for 44 youth, and 2585 days of residential treatment for 23 youth. The Chief Probation Officer, Jerry Esmond stated that if he did not have these funds available, the consequences would have been catastrophic for many of these young people. They would have been institutionalized in the Texas Youth Commission facilities at a far greater expense to taxpayers. He further stated, that with JJDPA funds, he can successfully divert youth from institutionalization and, in the absence of the funds, kids would be "sent up the river".

Although JJDPA and its subsequent programs have made great strides in the removal from jail of status offenders and the separation of ajudicated juveniles from adult offenders, much is left to be accomplished. Not all states are in compliance with the act and children are still in jail.

All states report difficulties in establishing effective community-based diversion programs as an alternative to incarceration. Without a national directive, a reversal to "lock-up" is almost inevitable. In 1985, Tennessee still had 103 children in 18 jails, all but 12 separated from adults.

In a time of cost-benefit programming, budget deficit reduction, and limited outlay with the greatest return, the "lock-up" mentality of the administration has no economic rationale. Even overlooking our country's concern for its children, diversion programs cost less, have a high success rate, and work towards the development of all youth as productive adults.

This administration has repeatedly sought to eliminate the office of Juvenile Justice and Delinquency Prevention, and the programs which it funds:

- seek treatment or counseling for status offenders rather than incarceration
- place "child victims" in a safe, stabilizing environment rather than a "kiddy jail"
- separate juvenile criminal offenders from adult offenders
- offer youth positive alternative to choices that may only lead to criminal activity and a dependent life--whether through incarceration, mental instability, or public "welfare" assistance

Congress, historically, has given full bipartisan support for this Act, despite the suggestions of the Reagan Administration that a need no longer exists for federal mandates and leadership in the area of Juvenile Justice and Delinquency Prevention. It is our conviction that a need does still exist for both the Federal incentive and assistance to the states.

Most of the programs funded by the Juvenile Justice and Delinquency Prevention Act access their funds through the state formula grant allotment. These Federal funds are not their sole source of income but act as the foundation for leveraging other support. States, already, offer substantial funds to augment this federal incentive. Local governments and the private sector attempt to supply the remaining resources for youth services.

Losing this federal leadership and financial backing will have (and already has by virtue of the freeze and rescission) a negative impact on communities, families, youth and society at-large. We have come so far in the diverison of youth out of the criminal justice sytem and into a productive adult life. It is not logical to return to a system that did not worked in the past.

Meeting the short term goal of a cut in domestic funding, while ignoring the probable long term consequence of adding to the numbers of adult offenders, welfare recipents, or chronic mental patients seems to be very short sighted and expensive.

The National Network supports Senator Arlen Specter, Chairman of the Senate Subcommittee on Juvenile Justice in his efforts to release JJDPA funds, currently frozen under President Reagan's recission and to continue a federal incentive for effective Juvenile Justice programming and delinquency prevention.

Only through a nationwide coordinated effort can troubled families and youth be fairly and effectively assisted. Dismissing the mandates of JJDPA would create undue hardship and burden on families already struggling to maintain "the American Dream". The Federal Government must not turn their backs on these families and the future families of the youth most at risk.

The National Network recommends that this subcommittee take whatever action is necessary to have the FY 1986 JJDPA funds released to the states and oppose President Reagan's FY 1987 zero funding level for the Office of Juvenile Justice and Delinquency Prevention.

Once again, I would like to thank this subcommittee for the opportunity to express the National Network's position on JJDPA and support their efforts on behalf of our nation's young people.

Sincerely,

June Bucy
Executive Director

James Walker
Chairman, Board of Directors

Renee Berger
27 Camelot Apts.
Marlton, N.J. 08053

Senator Arlen Spectoer
Chairman
Subcommittee on Juvenile Justice
Hart Senate Bldg., Room 815
Washington, D.C. 20515

Dear Sir,

I am looking for guidance through (and out of) legal systems at all levels, to help me rejoin with my 2 children, ages 13 and 11. My experiences with the National Center for Missing and Exploited Children, the State Department, the Embassies of the United States of America, the Israeli Embassies, the Federal Bureau of Investigation, and several agencies on a state and local level, have proven to be tiring and frustrating. In your capacity as a member of the Subcommittee on Juvenile Justice, I am certain you would want to be fully aware of any misutilization of funds appropiated to these agencies.

My plea to these agencies concerned affecting a court order from Westchester County, N.Y., granting me custody of my children. It seems to me that in a country as great as ours, based on the freedom and civil rights of the individual, it is intolerable that the very agencies appointed to help me affect this order by a United States Court, appear to lend themselves in the criminal activity which this order was designed to rectify. It is my hope that you will become personally involved in this matter. For too long, I have played the role of the scorned mother, and I am sure you will be able to sympathize with the anger and heavy sorrow that fills my heart.

I am a strong supporter of several laws and pending bills. They include the Missing Child's Act, the Hague Convention, the Uniform Child Custody Jurisdiction Act, the Parental Kidnapping Prevention Act, and others known or unknown to me as a layperson. I would trust that a man of your prestige and wisdom would also be a staunch supporter of any efforts that would allow children to be reunited with their loving parent. My son's name is Zvi Twersky, and my daughter is Shoshana (Shani) Twersky. I have reason to believe that they are in Israel. I base this on a wire from the American Embassy in Israel, and the Israeli National Border Police. I would think that with as much aid as we provide Israel, contacting the appropriate parties would ascertain that they would be only too happy to help us detain and prosecute criminals. That is exactly what my ex-husband is, having had a warrant issued for his arrest by the Westchester County Police Warrant Squad, who also feel his actions are criminal.

I would sincerely appreciate the help of your office, in bringing my situation to justice. But my deeper concern, is to once again know the joy of holding my children. I don't know how you, as an individual, can help me, but I am sure, utilizing your position as a United States Senator, you can find a way to indeed help a mother, whose hope is quickly fading. Please - do what you can to help me, and the countless other parents in this great nation of ours, to see our children again.

Your immediate attention and correspondence in this matter will be greatly appreciated and anticipated.

Sincerely,

Renee Berger

Renee Berger
609-983-3356

MARSHALL COUNTY ATTENTION HOMES, INC.

P. O. BOX 661
GUNTERSVILLE, ALABAMA 35976

Phone (205) 891-1207

President
ROBERT T. GIBBS

Vice-President
E. CHARLES OGDEN III

Secretary/Treasurer
DONNA KAY KING

December 20, 1985

Honorable Jeremiah A. Denton, Jr.
United States Senator
516 Hart Senate Office Building
Washington, D.C.

Dear Congressman:

I have just received and reviewed the "State InfoLetter" dated December 13, 1985, concerning the OMB directive to not award any catagorical or new block grants for Juvenile Justice programs. I know, as a member of the Alabama State Juvenile Justice Committee, that this money is desperately needed to comply with the JJDP act of 1974. Without said federal assistance many programs will be caused to terminate and, the children in this State will be the ones to suffer. I know, that as an Alabama Congressman, you do not want this to happen to our children who are in desperate need of the services provided them through federal assistance programs. From talking with many State and local officials, I know that I am not alone in my feelings concerning this matter.

I beg of you, in your busy schedule, to review what OMB is trying to do and provide all assistance possible in preventing this from happening.

Sincerely,

Robert T. Gibbs

Robert T. Gibbs, President
M.C.A.H., Inc.

Xc: Mr. Doug Miller, ALEPD
correspondence file

Shelby Youth Services & Attention Home, Inc.
P.O. BOX 1261
ALABASTER, AL 35007
663-6301, 663-5842

PROJECT DIRECTOR
BRENDA LEE RICE
OUT-REACH COUNSELORS
J. MICHAEL KEY

SPONSOR
THOMAS A. SNOWDEN, JR
SHELBY COUNTY COMMISSION

HOUSEPARENT/COUNSELORS
JOYCE AND DAVID SMELCER

COUNSELOR
SUSAN JOHNSTON

12/24/85

Honorable Jeremiah A. Denton, Jr.
United States Senator
516 Hart Senate Office Building
Washington, D.C. 20510

Attn: Richard Holcomb

Dear Honorable Senator Denton:

More bad news. We were just informed by the Alabama Department of Economic and Community Affairs that we will probably not receive any of our 1986 funds through the Law Enforcement Planning Division. This money was suppose to start coming down in October 1985 and agencies like ours have received none of this LEPA money yet. I have had to borrow from my Capital Expenditure Account in order to pay the bills each month. Since I was cut $20,110.00 by The Department of Health and Human Services this year I certainly cannot stand a $39,513.00 cut again in the same year. We have worked so hard to build this new A-Home for the children. The Navy has assisted greatly, volunteers, civic groups and countless others have invested time and energy and money into this project and it looks like I am going to have no funds to operate it with once I have it built. Our County Commission, every city in our County and some outside out county contribute to our home and work to keep it going but they cannot pay for everything. We have already raised over $70,000.00 toward construction because there is no federal or state Brick and Mortor Money now I have had to borrow from that building fund in order to operate. Please do not let them take our 1986 LEPA funds away this year also. It will be too large a burden to try to bear in one year. Please see what you can do to make sure this does not happen to me and all the other group homes and law enforcement agencies in the State of Alabama.

Please contact me if you need additinoal information. I have enclosed a copy of the newsletter that we received from Montgomery today.

Sincerely,
Brenda Lee-Rice
Brenda Lee Rice
Project Director

RESPECT
RESPONSIBILITY
DISCIPLINE
COMPASSION

RD OF DIRECTORS

O. J. CARSON
DR. HARVEY CONER
E. E. CRAIG
DAVID CUMMINGS
MELTON DEARING

COOSA VALLEY YOUTH SERVICES
P. O. Box 607
4625 McCLELLAN BOULEVARD
ANNISTON, ALABAMA 36202

DETENTION
237-2881

ATTENTION
236-KIDS

GEORGE A. GRAHAM
DIRECTOR

JOE C. HATHORN
ASST. DIRECTOR

December 26, 1985

Honorable Jeremiah Denton
U.S. Senator
516 Hart Senate Office Building
Washington, D. C. 20510

Dear Senator Denton:

Coosa Valley Youth Services is a non-profit organization which operates a 27-bed maximum-security detention center for the criminal juvenile offender and a 10-bed group home for children having severe family problems. Both of our programs operate on a regional basis serving the following counties in northeast Alabama: Calhoun, Chambers, Cherokee, Cleburne, DeKalb, Etowah, Morgan, and St. Clair. We will also provide services to any other county in the State on a space available basis.

For FY 1985-86, our funding comes from the following sources:

SOURCE	AMOUNT	% OF BUDGET
Local Government	$332,691	59%
State Government	149,300	27%
Federal Government	81,428	14%
Total	$563,419	100%

The federal funds we receive come through the Justice Department's Office of Juvenile Justice and Delinquency Prevention (OJJDP).

Recently I learned the Office of Management and Budget has issued directives to the Justice Department that in effect has frozen the release of the FY 1986 appropriations authorized by Congress through H.R. 2965 and approved by the President on December 13, 1985.

While the federal funds for Coosa Valley represent only 14% of our projected revenue, to "freeze" these funds or to not release them at all would create a major funding problem.

I fully realize that like many other federal programs, the original intent of OJJDP funds was to provide "seed" money with the state and local governments gradually assuming the cost of the programs. The table above clearly indicates that such is the case with the Coosa Valley program.

Senator Jeremiah Denton
December 26, 1985
Page 2

It has not been an easy task to get the state and local governments to participate financially at the level shown in the table. This level of effort has taken begging, pleading, compromise, and the filing of law suits against a county commission and the State of Alabama.

To possibly cut the OJJDP funds to Coosa Valley and to the State for FY 1985-86 plus sharply reduce revenue sharing to the counties would create a condition where many programs for troubled kids may close because local governments and the State could not come up with the necessary funds to replace lost federal funds.

Senator Denton, you have become a major supporter of "kid" programs through your work to establish a hot line for runaway and missing children. You have supported legislation and programs to fight child abuse. Your tireless efforts to support the welfare of children speaks highly of your compassion for kids.

It is because of this compassion that I humbly ask for your help in getting those funds authorized by Congress and approved by the President released from the Justice Department.

Through the help of the OJJDP funds, we are providing treatment programs kids can be placed in rather than being held in county jails.If you want to see an often-forgotten form of child abuse, talk with children who have been detained in county jails throughout the state or visit some of the jails which detain kids. Living conditions in animal humane shelters are better than some of the juvenile cells kids are placed in.

I will truly appreciate any attention you could give toward this problem and if there is anything I can do to assist you, please contact me.

Sincerely,

George A. Graham
Executive Director
Coosa Valley Youth Services

59139/2

STATE OF ALABAMA

ALABAMA CRIMINAL JUSTICE INFORMATION CENTER

858 South Court Street
Montgomery, AL 36130-5201
Telephone (205) [illegible]

LARRY WRIGHT
Director

Division Managers
RON HOLT
Uniform Crime Reporting
PAUL MANN
Technical Assistance
PETE PETROV
Systems Development

January 3, 1986

Honorable Jeremiah A. Denton, Jr.
United States Senator
516 Hart Senate Office Building
Washington, D. C. 20510

Dear Senator Denton:

The Office of Management and Budget issued a directive on December 12, 1985. This directive in effect placed a freeze on new grants funded under the Justice Department's Office of Juvenile Justice and Delinquency Prevention (OJJDP).

Juvenile Justice is a serious problem not only in Alabama but across the country. Without these funds many good programs and projects will be adversely affected.

Please review the actions of OMB and provide any assistance possible to the OJJDP program.

Sincerely,

Ron Holt
UCR Manager

RH/br

STATE OF ALABAMA

ALABAMA CRIMINAL JUSTICE INFORMATION CENTER

LARRY WRIGHT
Director

858 South Court Street
Montgomery, AL 36130-5201
Telephone (205) 832-4930

Division Managers
RON HOLT
Uniform Crime Reporting
PAUL MANN
Technical Assistance
PETE PETROV
Systems Development

January 3, 1986

Honorable Jeremiah A. Denton, Jr.
United States Senator
516 Hart Senate Office Building
Washington, D. C. 20510

Dear Senator Denton:

The Office of Management and Budget issued a directive on December 12, 1985. This directive in effect placed a freeze on new grants funded under the Justice Department's Office of Juvenile Justice and Delinquency Prevention (OJJDP).

Juvenile Justice is a serious problem not only in Alabama but across the country. Without these funds many good programs and projects will be adversely affected.

Please review the actions of OMB and provide any assistance possible to the OJJDP program.

Sincerely,

Larry Wright

LW/br

NATIONAL COALITION
OF
STATE JUVENILE JUSTICE ADVISORY GROUPS

A. L. CARLISLE, CHAIRMAN
21 MAPLE LANE
CAPE ELIZABETH, MAINE 04107
207/767-5680

ALLEN BUTTON, VICE-CHAIRMAN
KENTUCKY - 502/585-2100

FARRELL LINES, VICE-CHAIRMAN
NEW MEXICO - 505/247-0987

January 11, 1986

The Honorable Jeremiah Denton
U. S. Senate
Washington, D. C. 20510

Dear Senator Denton:

On behalf of the National Coalition of State Juvenile Justice Advisory Groups, I would like to thank you for cosponsoring Senate Resolution 278, disapproving the informal freeze of funds of the Office of Juvenile Justice & Delinquency Prevention. As you know, this freeze is causing extreme hardship and disruption of programs to many states. I find it outrageous that such an action should be taken, contrary to the express action of Congress to appropriate $70.282 million to continue the Juvenile Justice program. While some states may be able to wait until March or April to receive their 1986 funds, many cannot. In some states, projects are beginning to lay people off or will soon have to, absent receipt of 1986 funds. The administration of the entire Juvenile Justice program is jeopardized in some states. Your efforts to ensure that states receive their appropriations are greatly appreciated.

I have been informed by some people in the OJJDP that states, which have submitted and have had approved their 1986 plans, will be receiving letters notifying them of partial awards (one-half of their allocation) by January 17. However, I have also been informed that these letters may never be sent, or, at least, not by the 17th. It is very difficult to find out exactly what is happening.

The SAGs are most appreciative of your support and assistance in this matter. If the SAGs can provide you with further information or assistance, please let me know.

Thank you again for your support and help.

Sincerely yours,

A. L. Carlisle

A. L. Carlisle, Chairman
National Coalition

COLBERT-LAUDERDALE ATTENTION HOME, INC.
P. O. BOX 742
FLORENCE, ALABAMA 35630
PHONE 767-0972

GIRLS HOME

"A Little Attention Now Will
Prevent Detention Later"

ERICH H. SIGLE
DIRECTOR

BOYS HOME

January 15, 1986

The Honorable Jeremiah A. Denton, Jr.
United States Senator
516 Hart Senate Office Building
Washington, D. C. 20510

Dear Senator Denton:

The Alabama Department of Economics and Community Affairs has brought to our attention the possibility of terminating grants and funding for Fiscal Year 1987 and funds already approved for Fiscal Year 1986 in order to comply with the federal budget cutting measure of "Gramm-Rudman-Hollings" or "GRH" through the Juvenile Justice Delinquency Acts.

I would like to encourage you to support present funding levels or even increase funding, as we are already receiving only a small percentage of federal funds. Total elimination of funding would be devastating to our already financially strapped program. As you know, we are still in an economically depressed area and we have more young people to care for in our region.

Please support our cause and efforts so we can continue to provide shelter, food, and hope to these unwanted boys and girls so they may also share in the "American Dream".

Thank you for your undivided attention.

Respectfully yours,

Erich H. Sigle

Erich H. Sigle
Director

EHS/th

HON. PATRICIA M. SMITH, JUDGE
DISTRICT COURT OF SHELBY COUNTY
SHELBY COUNTY COURTHOUSE
P. O. Box 1115
Columbiana, Alabama 35051
(205) 669-3186

January 22, 1986

The Honorable Jeremiah A. Denton, Jr.
United States Senate
Washington, D.C. 20510

Dear Senator Denton,

I want to thank you for your support of Senate Resolution 278 of December 19, 1985. In fact, I have had occasion to thank you frequently the past several years for your consistent support of juvenile programs.

I am aware that Brenda Lee-Rice, the Project Director of Shelby Youth Services and Attention Home, Inc., has communicated with you concerning our predicament. The building presently housing the Attention Home has been placed on the market due to the owner's financial plight. Those of us who depend on the Attention Home know how critical it is to begin our building immediately. Just when we are beginning to make plans to secure our future, we learn that the Department of Justice and the Office of Management and Budget have proposed the elimination or recission of O.J.J.D.P. Since such would mean a loss of almost $40,000.00 to Shelby Youth Services and Attention Home and that agency's total operating budget is less than $140,000.00 a year, we are very concerned.

I know that everyone must share the burden of a balanced budget. However, as a Juvenile Court Judge, I want assurances that funds for juvenile programs will not be reduced disproportionately.

Again, let me commend you for your efforts to protect the children of this state. The members of the Board of Directors for Shelby Youth Services and Attention Home, Inc., are well aware of your stand and we are most grateful.

Sincerely,

Patricia M. Smith

Patricia M. Smith
District Court Judge

PMS: ts

cc: Brenda Lee-Rice

[illegible] 1986

January 31, 1986

The Honorable Jeremiah A. Denton, Jr.
United States Senate
516 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Denton:

I am a board member of the Shelby County Youth Services and Attention Home, Inc. Brenda Lee-Rice, the Director, has shared with me your January 9th letter regarding the freeze of OJJDP funds. I want to thank you for your interest in and support of juvenile justice/delinquency prevention programs. I know that you are concerned about the impact the freeze will have on these programs. Certainly there will have to be some "belt-tightening" among all federal programs not exempted by Gramm-Rudman, but it is totally unfair and inappropriate for the brunt of the reductions to fall on programs for children and youth simply because children cannot vote.

I know that you have a proven record in the area of juvenile justice and I feel certain that you will continue to work to safeguard these programs. I appreciate the support that you have shown Shelby Youth Services.

Sincerely,

Connie Arnwine
2529 Elizabeth Drive
Helena, Al 35080

TUSCALOOSA COUNTY YOUTH AID DIVISION
Tuscaloosa Police Department · Tuscaloosa County Sheriff's Department · Northport Police Department
714½ Greensboro Ave.
Tuscaloosa, Alabama 35401
Phone (205) 752-0516 & 349-2121

February 3, 1986

Senator Jeremiah Denton
Hart Senate Office Building
Washington, D.C. 20510

Senator Denton,

Enclosed you will find a copy of a letter written to Senator Specter. This letter is in regard to our grant funding. We have yet to receive any federal money for the operation of thei unit. In order for us to be funded, it is necessary for Congress to release some of the money allocated to the State of Alabama. We feel that we are performing a very vital service for the people of Tuscaloosa County through the operation of this unit.

Any assistance that you you can give us in this matter will be greatly appreciated. If you have any questions about our unit, please feel free to contact this agency and we will be glad to explain our operations to you.

Respectfuly yours,

James R. Bowen, Director
Tuscaloosa County Youth Aid

ENC
JRB/mll

TUSCALOOSA COUNTY YOUTH AID DIVISION

Tuscaloosa Police Department Tuscaloosa County Sheriff's Department Northport Police Department

714½ Greensboro Ave.
Tuscaloosa, Alabama 35401
Phone (205) 752-0616 & 349-2121

January 29, 1986

Senator Arlen Specter
331 Hart Senate Office Building
Washington, D.C. 20510

Senator Specter,

It has been brought to our attention that you are sponsoring a bill to exclude some funds from the Graham-Rudman Act. Our unit, the Tuscaloosa County Youth Aid Division, is a combined unit of specially trained law enforcement officers who come from three different departments. We have four (4) officers from the Tuscaloosa Police Department, one (1) officer from Northport Police Department, five (5) officers from the Tuscaloosa County Sheriff's Department and one (1) secretary.

Our unit operates on federal funding from the Juvenile Justice and Delinquency Prevention Act, which is administered through the Alabama Department of Economic and Community Affairs. These funds provide salaries for two officers, one secretary, office space and operating supplies.

Tuscaloosa County Sheriff's Department is under a Federal Court Order prohibiting the holding or incarceration of juvenile offenders. There are no juvenile detentions or holding facilities in Tuscaloosa County. We have to transport juveniles to surrounding counties for detention. Each year this unit travels approximately 50,000 miles transporting juveniles to juvenile detention facilities. Beside transporting responsibilities, we also handle approximately 1,500 cases a year. This includes not only juvenile offenders, but also victims of crimes such as Rape, Sexual Abuse and Child Abuse.

We therefore feel that if this program is not funded, a great disservice will be done to the community and a very important part of this community are the people under the age of eighteen. Without this funding, our unit will be dissolved and the community will suffer as a result.

Anything that you can do will be greatly appreciated, not only by us, but also by the community. If there is anything that we can do, such as writing letters or if there is someone that we can contact, please let us know. We will do anything that we can to help in this matter.

Respectfully yours,

Beasor B. Walker, Sheriff

James R. Bowen
James R. Bowen, Director

GRIFFIN, ALLISON & MAY
ATTORNEYS AT LAW
THE BRADFORD BUILDING
[illegible] SECOND AVENUE NORTH
BIRMINGHAM, ALABAMA [illegible]
[illegible]

STEPHEN B. GRIFFIN
LINDSEY J. ALLISON
WM. RANDALL MAY*
*ALSO PATENT ATTORNEY

SHELBY COUNTY OFFICE
SUITE 9
[illegible] VALLEYDALE ROAD
BIRMINGHAM, ALABAMA [illegible]
[illegible]

February 4, 1986

Honorable Jeremiah A. Denton, Jr.
United States Senator
516 Hart Senate Office Building
Washington, D.C. 20510

Re: Proposed Budget Reduction

Dear Senator Denton:

I realize that federal budget reductions will be necessary to secure our children's future. Retaining the thought of our children trying to repay the federal defecit is scary.

Even more disturbing is the thought that this country is presently unable to provide adequate care and guidance for troubled youth. Such youth are our leadership for tomorrow. Yet, these young people need professional help when faced with some of society's current problems.

Through my personal experience, I have seen youth become involved in situations that few adults could handle, much less a teenager. When such a situation arises, few parents are qualified to handle such problems. Professionals in the area of juvenile counseling and housing are needed. Such programs could not and cannot exist without federal funds. Therefore, I appeal to you to see that some source of funding continue in the future for your juvenile programs.

Sincerely yours,

Lindsey J. Allison, Secretary
Shelby Youth Services and
Attention Home

LJA/kat

Alabama Department Of Economic And Community Affairs

GEORGE C. WALLACE
GOVERNOR

W.M. "BILL" RUSHTON
DIRECTOR

February 7, 1986

The Honorable Jeremiah A. Denton, Jr.
United States Senator
516 Hart Senate Office Building
Washington, D. C. 20510

Dear Senator Denton:

I submit for your review and information the attached information on Juvenile Justice programs in Alabama.

Due to the President's order to rescind OJJDP funds for FY 86, our programs will soon be closing in Alabama. I'm sure you are aware of the great impact this will have on the entire Judicial System in Alabama. You can see from the data submitted the types and number of children that we serve with the small amount of funds that we receive ($723,000 in FY 85). This money was matched with local funds to the amount of $2,544,204 in reported project income. This does not include other monies or community support that also goes to these programs. Without the Federal support, these children would be dumped back on society which would be devastating to the State of Alabama.

Without your leadership these funds would have been done away with years ago. Even though other members of Congress are fighting hard to retain these very worthwhile programs, it is your leadership that has been of utmost importance to the State of Alabama and the nation, and we are very grateful to you. Your continued support for the children of Alabama is needed.

I could not agree with you more that we are in trouble with the budget growing in leaps and bounds each year, but there is probably no other program more beneficial to the American people than this small program.

When this important vote comes before you, I urge you to contact the President for his support as he seems to be getting false information concerning this program. He has been informed that the program has done what was intended and therefore should be eliminated, which is completely untrue. We have done great things with this small program, but we still have a long way to go, as our data proves. I am sure the other states would uphold our findings.

Please call on me if I can provide any further information that will help support this important program for Alabama and the nation.

With warm personal regards, I remain

Sincerely,

Doug Miller

Doug Miller
Division Chief
Law Enforcement Planning Division

DM:jjn

Enclosure

HON. PATRICIA M. SMITH, JUDGE
DISTRICT COURT OF SHELBY COUNTY
SHELBY COUNTY COURTHOUSE
P. O. Box 1115
Columbiana, Alabama 35051
(205) 669-3180

February 18, 1986

Honorable Jeremiah Denton, Senator
United States Senate
Committee on the Judiciary
Washington, D.C. 20510

Dear Senator Denton,

Thank you for your letter of February 10, 1986.

I am aware of the many efforts you have made on behalf of the children of the State of Alabama. I was also aware of the action that you had taken on December 18, 1985, to co-sponsor a resolution to disapprove the informal freeze of funds through O.J.J.D.P.

I appreciate your continued efforts to co-sponsor the resolution of February 5, 1986. I look forward to finding a solution to the problems being caused by the sudden and unexpected freeze of all O.J.J.D.P. funds for juvenile programs in the state of Alabama.

Your continued efforts on our behalf are appreciated.

Sincerely,

Patricia M. Smith

Patricia M. Smith
District Court Judge

PMS: ts

AD HOC COALITION FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

A group of over 50 national, state and local organizations
committed to responsible juvenile justice, policies and programs

c/o YMCA of the USA
1030 15th Street, N.W.
Suite 976
Washington, D.C. 20005

December 18, 1985

The Honorable Edwin Meese III
Attorney General
United States Department of Justice
Constitution Avenue
Between 9th and 10th Streets, N.W.
Washington, D.C. 20530

Dear Mr. Attorney General:

As Co-Chairmen of the Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention, we are writing to express our strong opposition to the recent "freeze" placed on funding of the Office of Juvenile Justice and Delinquency Prevention (OJJDP). We respectfully urge you to reverse this decision.

The Ad Hoc Coalition for Juvenile Justice, comprised of more than 40 national youth services organizations, has been a strong supporter of the Juvenile Justice and Delinquency Prevention Act. We are especially concerned of the effects which this freeze will have on efforts supported under the Act's formula grants to states provision.

Our purpose in writing at this time is not to argue the cost-effectiveness or success of the federal juvenile justice program. We will be making such a case to you at the appropriate time.

We are requesting, however, that you immediately lift the current freeze on OJJDP funds so that the legal mandates of the Act can be carried out. The intent of Congress, as recently as the December 4th action on OJJDP appropriations, is quite clear. The statutory mandates and enacted appropriations measures are to be carried out.

As our nation's leading law enforcement official, we are confident that you are commited to carrying out the law of the land, in this case, the JJDP Act as signed by the President. This current freeze clearly violates the letter and spirit of the law.

Again, we urge the immediate lifting of this freeze. We welcome the oppurtunity to meet with you and your staff to discuss ways that the Act can better protect the youths and communities that all of us are committed to protecting.

Sincerely,

Sharon Martin

Sharon Martin, Co-Chair
The Ad Hoc Coalition,
YMCA of the USA

Donald W. Mathis, Co-Chair
The Ad Hoc Coalition,
National Network of Runaway
and Youth Services

NATIONAL COALITION
OF
STATE JUVENILE JUSTICE ADVISORY GROUPS

A. L. CARLISLE, CHAIRMAN
29 MAPLE LANE
CAPE ELIZABETH, MAINE 04107
207/767-[illegible]

ALLEN BUTTON, VICE-CHAIRMAN
KENTUCKY - 502/[illegible]

FARRELL LINES, VICE-CHAIRMAN
NEW MEXICO - 505/[illegible]

December 18, 1985

The Honorable Edwin Meese
Attorney General
Department of Justice
Washington, D. C. 20531

Dear Mr. Attorney General:

On behalf of the National Coalition of State Juvenile Justice Advisory Groups, I am compelled to convey my grave concern and deepest disappointment at the action of the Administration in regard to the proposed budget which recommends deletion of fiscal year 1986 funds for Juvenile Justice. It is unquestionable that this action flies in the face of repeated expressions of Congress that the Juvenile Justice program be continued.

Upon notice that this proposal would be submitted, the Office of Juvenile Justice and Delinquency Prevention placed a "hold" on all unobligated FY 1985 funds and all FY 1986 funds. Such an action, particularly in regard to FY 1986 appropriations, will place the states in an extremely difficult position. As you know, the fiscal year began October 1, 1985, and the funds in question are desperately needed by states to continue programs and operations. Because the funding cycle for some state programs begins in the first part of the current year, some state programs find themselves in serious jeopardy. Without the FY 1986 funds, many programs designed and developed to cover any period of time will be terminated without any ability to permit assumption of their costs by state and local governments. Many discretionary programs, moreover, are subject to immediate termination. In addition, most states cannot insure the integrity of Federal funds already in the cycles, absent the Administration funds provided by the Act. It appears to me outrageous not only that many important programs may be terminated, but that this action also jeopardizes the ability of the states to provide accountability for current Federal program funds.

This action is strongly reminiscent of the actions of former President Nixon when he impounded funds appropriated by the Congress. Congress's response at that time was to pass the Budget Impoundment and Control Act. I sincerely hope that you will reconsider this similar highhanded attempt to subvert the will of Congress.

Very truly yours,

A. L. Carlisle

A. L. Carlisle
Chair, National Coalition

ALABAMA CONGRESS OF PARENTS and TEACHERS, INC
Phone 834-2501 / 207 NORTH JACKSON STREET / MONTGOMERY, ALABAMA 36104

December 20, 1985

The Honorable Edmond Meese III
Attorney General
U.S. Department of Justice
10th Street and Constitution Avenue N.W.
Washington, D.C. 20530

Dear Mr. Meese:

The Alabama PTA is very concerned about the Justice Department's decision to freeze the 1986 Juvenile Justice appropriations. Alabama's share of this money is being stretched to its limit to help children through most successful programs. If this money is lost, it is our children who will suffer first, but the effects will be felt by all Alabama citizens in the years to come as more costly programs will be needed to care for the results of youthful neglect. The Congress and the President were aware of this when they passed into law this $70.2 million appropriation.

Alabama needs its money soon before we see our state move backwards in its ability to help its young people. This holiday season that focuses on hope and peace for the future is an appropriate time to celebrate juvenile justice programs. We trust your department will reconsider its action.

Sincerely,

Arthur Mae Norris

Arthur Mae Norris,
President

cc. Mr. Doug Miller
Senator Jeremiah Denton
Senator Howell Heflin

national fund for runaway children

the national network

of Runaway and Youth Services, Inc.
905 - 6th Street, S.W., Suite 411, Washington, D.C. 20024 (202) 488-0739

December 18, 1985

The Honorable Edwin Meese III
Attorney General
United States Department of Justice
Constitution Avenue
9th and 10th Streets, N.W.
Washington, D.C. 20530

Dear Attorney General Meese:

The National Network of Runaway and Youth Services, comprised of more than 1200 member agencies across America, is writing to you to oppose the recent freeze on funds which has been placed on programs administered by the Office Of Juvenile Justice and Delinquency Prevention (OJJDP). This highly-arbitrary and unsound decision is creating immediate havoc with state and local, public and private juvenile justice programs.

This freeze, which has not even been formally submitted to the Congress as a rescission, is puzzling at best. Given the appropriations cut time line of March 1st by Gramm/Rudman, a freeze at this time places extreme and unanticipated hardship on programs including law enforcement, judges, probation, and a myriad of youth services agencies. This freeze is bad policy and should be lifted immediately.

As you well know, Congress has passed and President Reagan has signed both the reauthorization and appropriation legislation which provide for the Juvenile Justice and Delinquency Prevention Act. I strongly urge you to fulfill these statutory mandates and immediately left the freeze on OJJDP. Thank you for your consideration of the National Network's position opposing the OJJDP freeze.

Sincerely,

June Bucy
Executive Director

cc The Honorable Arlen Specter
Chairman, Senate Juvenile Justice Subcommittee

The Honorable Dale Kildee
Chairman, House Subcommittee on Human Resources

MARK YOUR
CALENDAR for:

DESIGNING THE FUTURE
State Conference
May 8-9, 1986
Austin

Texas Coalition for Juvenile Justice
2908 Maple Avenue, Suite 204 • Dallas, Texas 75201 • 214/871-3001

January 10, 1986

The Honorable Edwin Meese III
Attorney General
U. S. Department of Justice
Washington, D.C. 20530

Dear Attorney General Meese:

Texas Coalition for Juvenile Justice (TCJJ) is a non-profit, private volunteer organization with statewide membership. Our member organizations represent in excess of 1,000,000 persons. TCJJ does not receive nor has ever received any funds whose origins are from OJJDP. We do not perform legal or direct services. We sponsor community education of children's needs and services through conferences and workshops.

TCJJ hopes that you will lend the authority of your office to fighting juvenile offenses through support of adequate funding as appropriated to the Office of Juvenile Justice of Delinquency and Prevention.

We support the many successful services funded by OJJDP which have protected society by turning offenders away from lives as adult criminals.

Texas has used the funds from OJJDP wisely, and depends upon the continuity of the programs for the children and youth who can and have been rehabilitated.

We thank you for your consideration.

Sincerely,

Jane Wetzel

Jane Wetzel,
President, TCJJ
Dallas

Lois Carpenter

Lois Carpenter,
Advocacy Chair, TCJJ
Midland

Bill King

Bill King,
Vice President, TCJJ
Austin

The National PTA
700 North Rush Street
Chicago Illinois 60611-2571
(312) 787-0977

Office of Governmental Relations
1201 16th Street N.W.
Washington, D.C. 20036
(202) 822-7878

December 18, 1985

Honorable Edwin Meese, III
Attorney General
U.S. Department of Justice
10th Street and Constitution Avenue, NW
Washington, D.C. 20530

Dear Attorney General Meese:

I am writing on behalf of the 5.6 million members of the National Congress of Parents and Teachers (National PTA) in regard to funding of the Office of Juvenile Justice and Delinquency Prevention. The National PTA is outraged to learn that a rescission has been proposed for this vital program and that all OJJDP monies have been impounded. It is our understanding also, that the Department of Justice did not appeal this rescission.

The National PTA, urgently requests that the Department of Justice immediately appeal this rescission and release for obligation all monies appropriated for OJJDP by the Congress. Inaction on the part of the Department in this regard would bring to a halt juvenile justice programs in the States and local communities throughout the country, thus threatening the well being of our youth and our communities. Such an outcome would be a total contradiction of the national resolve that juvenile justice and delinquency prevention is a federal priority. Congress passed and, last week, President Reagan signed into law the FY 1986 appropriations for the Department of Justice, including level funding of the OJJDP.

The Office of Juvenile Justice provides the national leadership, the incentives, and the seed money that is absolutely necessary for states to implement programs that will accomplish the goals of the Juvenile Justice and Delinquency Act. The National PTA appeals to you to ensure that the historic federal leadership role in juvenile justice is maintained by appealing the OMB rescission and allowing OJJDP to continue its important responsibilities to our nation.

Sincerely,

Millie Waterman

Millie Waterman, Vice President
for Legislative Activity

MW:yb

cc: Senate Juvenile Justice Subcommittee
House Human Resources Subcommittee

JUVENILE PROBATION DEPARTMENT
TOM GREEN COUNTY COURTHOUSE
SAN ANGELO, TEXAS 76903-5850
PHONE (915) 653-2385 Ext. 365

Roy Robb, Chief
JUVENILE PROBATION OFFICER
TOM GREEN COUNTY, TEXAS

March 19, 1986

Honorable Edwin Meese
Attorney General of The United States
U.S. Dept. of Justice
Washington, D.C. 20510

Dear General Meese:

On June 14, 1962, Senator Thomas J. Dodd, then Chairman of The United States Senate Sub Committee to Investigate Juvenile Delinquency, stated "Too often we labor under the assumption that we do not have the know how to handle our delinquency problem. This is only partly true. We do not know everything about what makes young people commit crime, but we do know enough to put programs into action that will reduce our delinquency problem considerably."

The progress made since Senator Dodd made that statement almost 24 years ago has borne tremendous results primarily through funding of O.J.J.D.P. programs. I cannot say what impact these funds have had on programs in other states but in Texas this money has impacted literally thousands of children. At this time for example there are 70 grants serving 125 of the 254 counties in Texas. No federal funds are expended for salaries, travel of staff, or administrative costs. All monies are expended for the placement of children, thereby diverting children from placement in State Institutions and meeting federal guidelines.

As a past president of The Texas Probation Association I along with Amador Rodriquez, Chief Juvenile Probation Officer in Cameron County, Texas and also past president of the Texas Probation Association respectfully request that you assist those of us delivering services to children to maintain the means in which to be effective.

Realizing, that programs need to be trimmed, it is our position that to totally eliminate a program as effective as The Juvenile Justice and Delinquency Prevention Act would be a travesty.

Sincerely,

Roy K. Robb, Chief
Juvenile Probation Officer

RR/sl

SUMMARY OF SUBGRANTEES

LAW ENFORCEMENT PLANNING DIVISION
ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

SUBGRANTEE	AWARD AMOUNT	AWARD DATE	BEGINNING AND ENDING DATES	PROGRAM TITLE AND PURPOSE
Alabama Department of Youth Services P. O. Box 66 Mt. Meigs, Alabama 36057 Grant No. JF-86-10-0001	$ 35,530	July 11, 1985	October 1, 1985 - September 30, 1986	"STRATE" Program for Delinquency Prevention (C-3) To develop "STRATE" (Sub-Teens Recreational Activities to Educate) programs in ten (10) Alabama cities, modeled after the successful program operated in Ozark, Alabama by the Dale County Alcohol and Drug Abuse Foundation. The purpose is to prevent alcohol and drug abuse problems for children in grades 4 thru 8 in small-to-medium-size cities where population is less than 20,000, and thereby prevent delinquency as children enter the teen years.
Baldwin County Commission 1203 Phillips Street Bay Minette, Alabama 36507 Grant No. JF-86-06-0001	14,723	July 11, 1985	October 1, 1985 - September 30, 1986	Community-based Residential Juvenile Facilities and Alternatives (Group Home for Boys) (C-1) To provide residential care for male status offenders and counseling services to the juvenile and his family.
Child Mental Health Services, Inc. P. O. Box 7638 Birmingham, Alabama 35253 Grant No. JF-86-03-0002	106,030	July 11, 1985	October 1, 1985 - September 30, 1986	"Glenwood Wilderness Camp" To increase the capacity of the ongoing wilderness program designed to be preventative in nature with emphasis on preventing involvement in the juvenile justice system for those youth developing delinquent-type behaviors and to provide an alternate placement for youth as opposed to jail or institutional care. The capacity will increase from 10 to 20 residential treatment spaces.
The Children's Home, Inc. 3100 Ivy Avenue Huntsville, Alabama 35805 Grant No. JF-86-01-0005	37,109	Sept. 25, 1985	October 1, 1985 - September 30, 1986	Community-based Residential Juvenile Facilities and Alternatives (Progress Place) (C-1) To provide a total therapeutic community for CHINS (Children in Need of Supervision) to assist youths to overcome problem behavior and family, social and/or academic difficulties through the use of applied social learning techniques.

SUBGRANTEE	AWARD AMOUNT	AWARD DATE	BEGINNING AND ENDING DATES	PROGRAM TITLE AND PURPOSE
Coosa Valley Youth Services, Inc. P. O. Box 607 Anniston, Alabama 36202 Grant No. JF-86-04-0001	$ 49,216	July 11, 1985	October 1, 1985 - September 30, 1986	Community-based Residential Juvenile Facilities and Alternatives (Attention Home) (C-1) To provide a regional, non-secure residential facility which provides care, housing and treatment for children alleged or adjudicated to be in need of supervision.
Coosa Valley Youth Services, Inc. P. O. Box 607 Anniston, Alabama 36202 Grant No. JF-86-04-0002	32,212	July 11, 1985	October 1, 1985 - September 30, 1986	Community-based Residential Juvenile Facilities and Alternatives (Detention Center) (C-1) To provide a secure detention setting in which juvenile offenders who are alleged or adjudicated of a criminal-type act may be placed in lieu of placement in an adult jail.
Elmore County Commission Elmore County Sheriff's Office Wetumpka, Alabama 36092 Grant No. JF-86-05-0003	10,982	Sept. 25, 1985	October 1, 1985 - September 30, 1986	Delinquency Prevention (Youth Aid Officer) (C-3) To provide specialized staff to rural county law enforcement.
Escambia County Commission P. O. Box 848 Brewton, Alabama 36427 Grant No. JF-86-06-0002	6,650	Sept. 25, 1985	October 1, 1985 - September 30, 1986	Community-based Youth Diversion to Minimize Penetration (Tri-County Shelter Care and Outreach) (C-2) To provide shelter care and emergency services in response to the needs of an increasing number of CHINS within the Escambia County area, thereby eliminating the need for detention care in all status offender cases. The Outreach component will serve in a diversion and and prevention capacity within the three counties involved.
Jefferson County Consortium Family Court of Jefferson County P. O. Box 35137 120 - Second Court, North Birmingham, Alabama 35211 Grant No. JF-86-03-0002	37,600	Sept. 25, 1985	October 1, 1985 - September 30, 1986	Community-based Residential Juvenile Facilities and Alternatives (Consortium) (C-1) To provide for the Family Court of Jefferson County temporary shelter care for status offenders by contracting with the Salvation Army, Gateway, and Higdon Hill Group Home to provide a variety of non-secure residential beds for CHINS.

SUBGRANTEE	AWARD AMOUNT	AWARD DATE	BEGINNING AND ENDING DATES	PROGRAM TITLE AND PURPOSE
Lauderdale County Commission P. O. Box 742 Florence, Alabama 35631 Grant No. JF-86-01-0001	$ 16,829	July 11, 1985	October 1, 1985 - September 30, 1986	Community-based Residential Juvenile Facilities and Alternatives (Colbert-Lauderdale Attention Home) (C-1) To provide an alternative to institutional settings by providing a non-secure shelter care for status offenders which are referred by the juvenile court. This project operates a girls home and a boys home.
Lawrence County Commission Lawrence Co. Sheriff's Department Courthouse Annex Moulton, Alabama 35650 Grant No. JF-86-01-0002	$ 12,626	Sept. 25, 1985	October 1, 1985 - September 30, 1986	Delinquncy Prevention (Youth Aid Bureau) (C-3) To provide diversion counseling and prevent court contact. To conduct community education programs in schools.
Macon County Commission Macon County Courthouse Tuskegee, Alabama 36083 Grant No. JF-86-05-0004	12,987	Sept. 25, 1985	October 1, 1985 - September 30, 1986	Community-based Youth Diversion to Minimize Penetration (Outreach Modification) (C-2) To provide diversion counseling in cooperation with juvenile probation officers in high delinquency areas. To educate and involve the community in delinquency prevention.
Marshall County Attention Homes, Inc. P. O. Box 661 Guntersville, Alabama 35976 Grant No. JF-86-01-0003	39,154	July 11, 1985	October 1, 1985 - September 30, 1986	Community-based Residential Juvenile Facilities and and Alternatives (Home for Boys and Girls) (C-1) To provide a shelter care-type facility for juveniles who have been adjudicated CHINS and/or Status Offenders by their respective juvenile courts.
Mobile County Commission Mobile County Sheriff's Department P. O. Box 113 Mobile, Alabama 36601 Grant No. JF-86-06-0003	9,320	Sept. 25, 1985	October 1, 1985 - September 30, 1986	Delinquency Prevention (Junior Deputy Program) (C-3) To provide a full-time contact in Mobile schools to teach crime prevention and law awareness.

SUBGRANTEES	AWARD AMOUNT	AWARD DATE	BEGINNING AND ENDING DATES	PROGRAM TITLE AND PURPOSE
Shelby County Commission P. O. Box 1261 Alabaster, Alabama 35007 Grant No. JF-86-03-0001	$ 39,513	July 11, 1985	October 1, 1985 - September 30, 1986	Community-based Residential Juvenile Facilities and Alternatives (Attention Home) (C-1) To provide temporary shelter care for status offenders referred by the juvenile court, to include counseling, group therapy, family therapy and follow-up. To provide prevention and diversion counseling to youths through contacts with schools, law enforcement units and families, prior to court involvement. Also, provide director for administering the Attention Home.
Southeast Alabama Youth Services, Inc. P. O. Box 1381 Dothan, Alabama 36302 Grant No. JF-86-07-0001	$100,000	July 11, 1985	October 1, 1985 - September 30, 1986	Community-based Residential Juvenile Facilities and Alternatives (Boys & Girls Group/Attention Homes) (C-1) To provide non-secure shelter care for status offenders who are referred by the juvenile courts, thereby providing an alternative to placing them in jail.
Southeast Alabama Youth Services, Inc. P. O. Box 1381 Dothan, Alabama 36302 Grant No. JF-86-07-0002	74,695	July 11, 1985	October 1, 1985 - September 30, 1986	Community-based Residential Juvenile Facilities and Alternatives (Diversion Facility) (C-1) To provide a regional diversion facility, making available psychological and other state-required evaluations for status offenders in Southeast Alabama.
Tuscaloosa County Commission 714 Greensboro Avenue Tuscaloosa, Alabama 35401 Grant No. JF-86-02-0003	14,993	Sept. 25, 1985	October 1, 1985 - September 30, 1986	Community-based Residential Juvenile Facilities and Alternatives (Boys and Girls Attention Home) (C-1) To provide, through contractual arrangements with Brewer Porch Shelter Care, a structured and controlled temporary placement that will provide 24-hour supervision for youths that have been referred by the juvenile courts.

February 5, 1986

CURRENT ALEPA SUBGRANT AWARDS

SUBGRANT NO.	AMOUNT	SUBGRANTEE	PROJECT DIRECTOR	AUTHORIZING OFFICIAL	FINANCIAL OFFICER
JF-86-10-0001	$35,530	AL Dept. of Youth Services ("STRATE" Program)	John Floyd Dept. of Youth Services P. O. Box 66 Mt. Meigs, AL 36057 272-9100	George M. Phyfer, Director AL Dept. of Youth Services P. O. Box 66 Mt. Meigs, AL 36057 272-9100	Dwayne Colburn AL Dept. of Youth Services P. O. Box 66 Mt. Meigs, AL 36057 272-9100
JF-86-01-0001	$16,829	Lauderdale County Commission (Colbert-Lauderdale Attention Home, Inc.)	Erich H. Sigle, Director Colbert-Lauderdale Attn. Home P. O. Box 742 Florence, AL 35631 767-0972	William B. Duncan, Chairman Lauderdale County Commission P. O. Box 1059 Florence, AL 35631 766-5180	Corrine Campbell, Clerk Lauderdale County Commission P. O. Box 1059 Florence, AL 35631 766-5180
JF-86-01-0002	$12,826	Lawrence County Commission (Youth Aid Bureau)	Dan Ligon, Sheriff Lawrence Co. Courthouse Annex Moulton, AL 35650 974-9291	Earl Malcom, Jr., Chairman Lawrence County Commission Moulton, AL 35650 974-0663	Joan Lang, Clerk Lawrence County Commission Moulton, AL 35650 974-0663
JF-86-01-0003	$39,154	Marshall Co. Attention Home, Inc.	Robert T. Gibbs, President Marshall Co. Attention Home P. O. Box 661 Guntersville, AL 35976 891-1207	Robert T. Gibbs, President Marshall Co. Attention Home, Inc. P. O. Box 661 Guntersville, AL 35976 891-1207	Donna Kay King Route 1, Box 288 Guntersville, AL 35976 891-1200
JF-85-01-0006	$37,109	The Children's Home, Inc. (Progress Place)	Billie J. Long, Director 3100 Ivy Avenue Huntsville, AL 35805 539-0130	Mrs. Susan K. Neighbors Committee Chairperson P. O. Box 903 Huntsville, AL 35804 533-6373	Richard K. Hartz 1116 O'Shaughnessy Avenue Huntsville, AL 35801 536-6898
JF-86-02-0003	$14,993	Tuscaloosa County Commission (Boys & Girls Attention Home--Brewer Porch)	John Upchurch, Director Tuscaloosa Co. Juvenile Court 714 Greensboro Avenue Tuscaloosa, AL 35401 349-3870	Hardy McCollum, Chairman Tuscaloosa County Commission Tuscaloosa Couty Courthouse Tuscaloosa, AL 35401 349-3870	Robert H. Johnston, Clerk Tuscaloosa Co. Commission Tuscaloosa Co. Courthouse Tuscaloosa, AL 35401 349-3870

Subgrant No.	Amount	Subgrantee	Project Director	Authorizing Official	Financial Officer
JF-86-03-0002	$106,030	Child Mental Health Services, Inc. (Glenwood Wilderness Camp)	Janice Hanson Glenwood Wilderness Camp P. O. Box 7638 Birmingham, AL 35253 967-4407	Deborah Lee Yount, Exec. Dir. Child Mental Health Services P. O. Box 7638 Birmingham, AL 35253 967-4407	Phyllis S. Odell P. O. Box 7638 Birmingham, AL 35253 967-4407
JF-86-03-0005	$ 37,600	Jefferson County Commission (Consortium)	Betty L. Osburne, Admin. Family Court of Jefferson Co. Box 35137 120-2nd Court, North Birmingham, AL 35211 325-5482	Chriss Doss, President Jefferson County Commission Jefferson County Courthouse Birmingham, AL 35263 325-5555	E. H. Gamble, Comptroller Jefferson County Commission Jefferson County Courthouse Birmingham, AL 35263 325-5665
JF-85-03-0005	$ 39,513	Shelby County Commission (Shelby Youth Services and Attention Home)	Brenda Lee-Rice Shelby County Youth Services and Attention Home P. O. Box 1261 Alabaster, AL 35007 663-6301	Thomas A. Snowden, Jr. Shelby County Commission P. O. Box 467 Columbiana, AL 35051 669-4895	Myra Davis Shelby County Commission P. O. Box 467 Columbiana, AL 35051 669-4895
JF-86-04-0001	$ 49,216	Coosa Valley Youth Services, Inc. (Attention Home)	Mary Lynn Rose Coosa Valley Youth Services P. O. Box 607 Anniston, AL 36202 236-5437	George A. Graham Coosa Valley Youth Services P. O. Box 607 Anniston, AL 36202 237-2881	George A. Graham Coosa Valley Youth Services P. O. Box 607 Anniston, AL 36202 237-2881
JF-86-04-0002	$ 32,212	Coosa Valley Youth Services, Inc. (Detention Center)	Wade Spradlin Coosa Valley Youth Services P. O. Box 607 Anniston, AL 36202 237-2881	George A. Graham Coosa Valley Youth Services P. O. Box 607 Anniston, AL 36202 237-2881	George A. Graham Coosa Valley Youth Services P. O. Box 607 Anniston, AL 36202 237-2881
JF-86-05-0004	$ 12,967	Macon County Commission (Outreach Modification)	Aubrey Ford, Jr., Judge Juvenile Court P. O. Box 703 Tuskegee, AL 36083 727-6110	Ronald J. Green, Chairman Macon County Commission Macon County Courthouse Tuskegee, AL 36083 727-5120	Alvena D. Williams Macon County Commission Macon County Courthouse Tuskegee, AL 36083 727-5120

Subgrant No.	Amount	Subgrantee	Project Director	Authorizing Official	Financial Officer
JF-86-05-0003	$10,982	Elmore County Commission (Youth Aid Officer)	Sidney Thrash, Sheriff Elmore County Sheriff's Dept. P. O. Drawer B Wetumpka, AL 36092 567-5546	Edward W. Enslen Probate Judge Elmore County Commission Wetumpka, AL 36092 567-4347	Cathy Traywick, Admin. Elmore County Commission P. O. Box 280 Wetumpka, AL 36092 567-5450
JF-86-06-0003	$ 9,320	Mobile County Commission (Junior Deputy Program)	Thomas J. Purvis, Sheriff Mobile County Sheriff's Dept. P. O. Box 113 Mobile, AL 36601 690-8630	James L. Mason, President Mobile County Commission Mobile County Courthouse Mobile, AL 36633 690-8614	Douglas L. Modlin Deputy Administrator Mobile County Commission Mobile County Courthouse 690-8606
JF-86-06-0002	$ 6,650	Escambia County Commission (Tri-County Shelter Care and Outreach Project)	Mrs. Clair C. Sanborn P. O. Box 848 Brewton, AL 36427 867-6261, Ext. 259	Devon Wiggins, Chairman Escambia County Commission P. O. Box 848 Brewton, AL 36427 867-6261, Ext. 207	Kenneth Taylor, County Clerk Escambia County Commission P. O. Box 848 Brewton, AL 36427 867-6261, Ext. 231
JF-86-06-0001	$14,723	Baldwin County Commission (Group Home for Boys)	Janice Hendrickson Baldwin County Youth Services 1203 Phillips Street Bay Minette, AL 36507 937-0022 or 937-0206	Clarence Bishop, Chairman Baldwin County Commission Baldwin County Courthouse Bay Minette, AL 36507 937-9561	David C. Wood, Admin. Baldwin County Commission Baldwin County Courthouse Bay Minette, AL 36507 937-9561
JF-86-07-0001	$100,000	Southeast AL Youth Services (Attention Homes)	Gerald M. Love, Director Southeast AL Youth Services P. O. Box 1381 Dothan, AL 36302 794-8255 or 794-7830	Herman Culpepper, Chairman SEAYS Board of Directors 3303 Cromwell Drive Dothan, AL 36303 792-4950	Anita M. Betsill P. O. Box 1381 Dothan, AL 36302 794-8255 or 794-7830
JF-86-07-0002	$ 74,695	Southeast AL Youth Services (Detention/Diversion Center)	Gerald M. Love, Director Southeast AL Youth Services P. O. Box 1381 Dothan, AL 36302 794-8255 or 794-7830	Herman Culpepper, Chairman SEAYS Board of Directors 3303 Cromwell Drive Dothan, AL 36301 792-4950	Anita M. Betsill P. O. Box 1381 Dothan, AL 36302 794-8255 or 794-7830

The National PTA
700 North Rush Street
Chicago Illinois 60611-2571
312 787 0977

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(202) 822-7878

Tari Marshall
(312) 787-0977

NEWS RELEASE

FOR IMMEDIATE RELEASE

NATIONAL PTA CALLS ON MEMBERS TO MELT FREEZE ON JUVENILE JUSTICE FUNDING

WASHINGTON, D.C., January 17, 1986 -- The National Parent-Teacher Association (PTA) has called on its state and national leaders to contact their U.S. Senators and urge them to cosponsor and support a bill to disapprove the rescission of Juvenile Justice funds, which were frozen by the Reagan administration in December.

In an "Action Alert" to PTA leaders nationwide Millie Waterman, the PTA's vice president for legislative activity, said, "It is urgent that you contact your U.S. Senators and urge them to cosponsor and support the bill to DISAPPROVE the Juvenile Justice rescission that will be introduced by Sen. (Arlen) Specter (R-Pa.)."

The action was taken in response to the administration's freeze on all funds appropriated by the Congress for FY 1986 for the Office of Juvenile Justice and Delinquency Prevention (OJJDP). In early February, Congress is expected to receive a formal request from the administration for a rescission of the $70.2 million appropriation.

"Already the freeze is threatening the continuation of Juvenile Justice programs in your state and local communities," Waterman told PTA leaders. "If the freeze continues these programs will be shut down. A rescission would mean the abolishment of the federal Juvenile Justice program and the end of these programs in your state and local communities," she added.

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The administration believes that the states or private enterprises can handle the programs now served by OJJDP. However, the PTA says that without the incentives provided by the federal Juvenile Justice funds these vital youth services would be lost. Although the administration has attempted in the past to eliminate the Juvenile Justice program, the Congress has rejected those efforts and continued to support its funding. "What is happening now is that the administration is using the Gramm-Rudman law as an excuse to abolish OJJDP," Waterman charged. "However, Gramm-Rudman does not call for the termination of any individual federal program, and we believe the Congress must continue its opposition to this effort."

Included in the programs funded by the OJJDP are rehabilitation of youthful offenders, deinstitutionalization of status offenders (runaways, truants, etc.), removal of juveniles from adult jails, runaway shelters, missing children, drug and alcohol abuse, law-related education, foster care, juvenile court programs, crime control and child abuse.

Waterman said that the elimination of these programs would be "a total contradiction of the national resolve that juvenile justice and delinquency prevention is a federal priority." In a December 18 letter addressed to Attorney General Edwin Meese the PTA leader urged the Department of Justice to "immediately appeal (the) rescission and release for obligation all monies appropriated for OJJDP by the Congress."

"We will not stand by and allow this administration to continue chipping away at programs that serve the needs of our nation's children," Waterman said. "The sole reason the PTA exists is to make sure that children's needs are met at home, in the school and in the community. We will be here to make sure that the administration does not let our children, our nation's future, fall through the cracks when budgets are cut."

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national fund for runaway children
the national network
of Runaway and Youth Services, Inc.
905 - 6th Street, S.W., Suite 411, Washington, D.C. 20024 (202) 488-0739

BY JUNE BUCY -- EXECUTIVE DIRECTOR -- FEBRUARY 28, 1986

PRESS RELEASE -- PRESS RELEASE -- PRESS RELEASE

His mother was picked up by police officers on a bad check charge and taken to a jail in a neighboring city. John, 16, and his two younger brothers 10 and 12, were put in the county jail because it was the only "care" available. John was an honor student in High School. He missed so many days while he was in jail that he failed for that semester and dropped out of school because he was reluctant to face his friends who were now seniors.

John lived in Galveston, Texas before the passage of the Juvenile Justice and Delinquency Prevention Act. Due to that Act with its requirements for deinstitutionalization and jail removal of young people, Galveston County now has a continuum of services for young people who are high risk situations. Now there would be shelter for John and his brothers where they could continue school. Assistance would be available to the mother in keeping the family together and getting her financial problems under control.

During the period from October 1984 to September 1985, Galveston County Juvenile Probation received $81,000 in JJDPA funds through a state grant. All of these funds were used for "purchase of juvenile services" on a local level. Specifically, they were used to obtain individual and group counseling services for 46 youth, 596 emergency shelter days for 44 youth, and 2585 days of residential treatment for 73 youth. The Chief Probation Officer, Jerry

Esmond, stated that if he did not have these funds available, the consequences would have been catastrophic for many of these young people. They would have been institutioanlized in the Texas Youth Commission facilities at a far greater expense to taxpayers. He further stated, that with JJDPA funds, he can successfully divert youth from institutionalization and in the absence of these funds kids would be "sent up the river."

The Youth Service System of Lincoln, Nebraska states that, had it not been for JJDPA funds,Nebraska would not even have attempted deinstitutionalization three years ago. There have been problems with compliance, but the state is still trying. Elimination of JJDP will kill any incentive Nebraska has had. During the three years of JJDPA funding about 20 new community based programs have been started. These programs range from runaway shelters to police diversion programs, hotlines, foster care for parolees, independent living programs for state wards, drug and alcohol treatment programs and youth employment projects.

The National Network of Runaway and Youth Service members from across the nation report similar successes in saving their communities money and assisting youth in getting back in school and working toward future productive lives. Elimination of Juvenile Justice Deinstitutionalization standards will make it possible for states to slip back into the "lock-up" punative mentality that will deny appropriate services to young people and put them on the track toward future institutionalization in prisons, mental health facilities, or on the welfare rolls of our nation.

AD HOC COALITION FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

A group of over 50 national, state and local organizations
committed to responsible juvenile justice, policies and programs

For More Information

Sharon Martin
YMCA of the USA
898-0160

June Bucy
National Network of
Runaway & Youth Services
488-0739

March 5, 1986

COALITION URGES SUPPORT FOR JUVENILE JUSTICE, PROTESTS DISRUPTIONS IN FUNDING

Organizations participating in the Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention have joined to urge Congress to maintain the "critical minimum" in federal funding for the Juvenile Justice and Delinquency Prevention Act (JJDPA). They emphasized the need for federal leadership to continue the momentum for state and local efforts in dealing with youth in trouble and at risk, and expressed concern over disruptions in the flow of funds already approved by Congress ($70 million in Fiscal Year 1986).

Groups involved include:

American Bar Association Criminal Justice Section's
    Juvenile Justice Project
Camp Fire, Inc.
Department of Political and Human Rights, Board of Church
    and Society, United Methodist Church
General Federation of Women's Clubs
Girl Scouts of the U.S.A.
Justice for Children
National Coalition of State Juvenile Justice Advisory
    Groups
National Congress of Parents and Teachers (National PTA)
National Education Association
National Interreligious Task Force on Criminal Justice
National Network of Runaway and Youth Services, Inc.
National Urban League
Roosevelt Centennial Youth Project
Washington Office, Presbyterian Church USA
YMCA of the USA
YWCA of the USA, National Board

In a statement to be submitted to the Senate Subcommittee on Juvenile Justice, for the Subcommittee's oversight hearing on JJDPA March 5, the Coalition points out:

- The Administration's informal "freeze" on JJDPA funding in December and its rescission request in February have disrupted planning and programs. State and local planners and service providers have repeatedly been left uncertain as to when and whether current year funding will be available.

- Congress has repeatedly given full bipartisan support for the Act and has insisted on its implementation by the federal Office of Juvenile Justice and Delinquency Prevention. Most recently, Congress required reports on each quarter's spending and plans for expenditures in the forthcoming quarter.
- The Administration's emphasis, in the Fiscal Year 1987 budget, on separating juvenile offenders from adults in jails distorts the purposes of the Act. Other mandates -- especially for removing youth from adult jails and lock-ups have not been met.
- Further progress is needed to meet other purposes of the Act, such as developing community-based alternatives to detention and removing from secure detention those youth whose offenses, such as running away and truancy, would not be criminal if committed by adults ("deinstitutionalization of status offenders").
- Federal funding not only provides incentives for states, but also leverages additional state, local, and nongovernmental resources for efforts in this area.

Participating organizations in the Coalition expressed appreciation for the leadership of Senator Arlen Specter, chairman of the Senate Subcommittee, in continuing to press for funding and an effective federal role in improving juvenile justice systems and preventing juvenile delinquency.

The Ad Hoc Coalition was formed in 1978 to provide support for appropriations for the Juvenile Justice and Delinquency Prevnetion Act and has remained active on funding and other issues, including reauthorizations of the Act in 1980 and 1984.

The Coalition advocates for constructive and cost-effective programs to deal with troubled youth and families, community and family responsibility for "status offenders," alternatives to court handling of delinquent and pre-delinquent youth, removal of youth from adult jails and lock-ups, and other aims of the Juvenile Justice and Delinquency Prevention Act.

The National PTA
700 North Rush Street
Chicago Illinois 60611 2571
312 787 0977

NEWS RELEASE

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202-822-7878
Tari Marshall
312-787-0977

(Call 202-484-1000, Caucus Room,
through March 10, 1986)

FOR IMMEDIATE RELEASE

PTA SAYS ADMINISTRATION CAUSING A CRISIS IN JUVENILE JUSTICE

WASHINGTON, D.C., March 5, 1986 -- The National Congress of Parents and Teachers (National PTA) has charged the Administration with "causing a crisis in the nation's Juvenile Justice Program" and ignoring the mandates of the Juvenile Justice and Delinquency Prevention Act (JJDPA).

Speaking at the PTA's annual Legislative Conference here, the PTA's vice-president for legislative activity, Millie Waterman, said that the freeze placed on Juvenile Justice funds by the administration in December and the proposed rescission of those funds has disrupted services to children and threatened the life of many programs designed to protect children. At the same time, Waterman charged, the Administration has claimed that it has met the mandates of the Juvenile Justice Act, when in fact many states report otherwise.

"In Delaware, a program to improve counselling of status offenders will be out of funds by the end of March, while the rescission period does not end until mid-April," said Shirley Cupery, a National PTA vice-president from Delaware. Another Delaware program that would establish supervised half-way houses for youth coming out of juvenile correctional centers, foster care and mental health treatment services had to be postponed "because we don't know if Fiscal Year 1986 funds will be available," Cupery said, adding that since "this program is an important crime prevention project, we'll all be paying much more in the future if these services are not started now."

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Barbara Emerich, a member of the California PTA board of directors, reports that in her home county of Santa Clara, the Homeless Youth, Foster Homes and Outreach Program has been disrupted in its first year "because they don't know if and when they will be getting 1986 funds." The project could not retain a social worker hired to work with children and foster families because it could not assure her stability of employment, Emerich said.

Waterman also said the PTA "is alarmed that the administration continues to claim it has met the goals and mandates of the JJDPA while it has totally ignored the mandate to remove delinquent youth from adult jails. "Not only that," Waterman pointed out, "but the administration has ignored the Senate's action, which disapproved the freeze under Senate Resolution 278 passed unanimously in December."

PTA leaders from around the country will be meeting with their Congressmen this week to discuss, among other concerns, Senate Concurrent Resolution 106, which calls for the immediate release of Juvenile Justice funds proposed to be rescinded. "We commend Senator Arlen Specter (R-Pa.) for introducing the resolution and the 46 senators who already have co-sponsored it," Waterman said, adding, "We hope for a speedy passage and that House members will quickly concur." She also said she hopes this action will send a message to the Administration that it can no longer ignore the wishes of Congress.

The progress that has been made so far under the JJDPA is the result of federal juvenile justice funding, Waterman explained. The program has provided seed money for states to provide community-based services to youth that are alternatives to detention and lock-ups in adult jails. The federal funds also serve as the incentive for states, communities and private agencies to provide additional resources for these youth services "Without federal funds, states and local communities will be unable to continue these valuable programs," Waterman said.

This current battle on behalf of children is the latest in a nearly 90-year PTA history of acting as staunch advocates of juvenile justice programs. The association supported passage in 1974 of the Juvenile Justice and Delinquency Prevention Act and its members have consistently advocated reauthorization of the Act and adequate funding for its implementation. The National PTA, with a membership of 5.6 million, is a participant in the Ad Hoc Coalition for Juvenile Justice.

NATIONAL
ASSOCIATION
of
COUNTIES

[illegible] Washington DC [illegible]
[illegible]

JUSTICE AND PUBLIC SAFETY STEERING COMMITTEE

RESOLUTION

DISAPPROVING REQUEST FOR RESCISSION OF JUVENILE JUSTICE FUNDS

WHEREAS, in 1984 Congress reauthorized the Office of Juvenile Justice and Delinquency Prevention (OJJDP) through fiscal year 1988 to continue the important functions of this Office; and

WHEREAS, on December 13, 1985, the Justice Department imposed a freeze on funds of the Office, thereby eliminating all funding for state and local juvenile justice programs; and

WHEREAS, the funds of the Office are allocated to the states for operation of important juvenile justice services, including deinstitutionalization, drug rehabilitation, child safety, crime control, law-related education, child abuse prevention, runaway shelters, research, and delinquency prevention; and

WHEREAS, reliable reports indicate that thousands of juveniles remain incarcerated in adult jails and lock-ups nationwide;

THEREFORE BE IT RESOLVED, that NACo opposes the proposed rescission of $70 million in appropriated juvenile justice and delinquency prevention funds in FY'86; and

BE IT FURTHER RESOLVED, that NACo supports Senate Concurrent Resolution #106 with amendments to include the Justice Assistance Act and the regional information sharing system.

Passed by Justice and Public Safety Steering Committee March 2, 1986 (unanimous)

Adopted by the NACo Board of Directors, March 4, 1986.

TESTIMONY PRESENTED

ON BEHALF OF THE
FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES
TALLAHASSEE, FLORIDA

BY

WILLIAM H. BENTLEY
EXECUTIVE DIRECTOR
FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES

Mr. Chairman and members of the Subcommittee, I am Bill Bentley, Executive Director of the Florida Network of Youth and Family Services, a statewide association of programs providing both residential and non-residential services to status offenders and other troubled youth and their families. I appreciate the opportunity to provide testimony to you on a subject that is of great importance to me -- the Juvenile Justice and Delinquency Prevention Act (JJDP) and its funding. The State of Florida has been an active participant in the JJDP Act since its passage in 1974. During this time, over $15 million dollars in JJDP funds have helped support programs for delinquents, status offenders, and nonoffenders. In addition to the financial support of programs, the availability of JJDP funds led to the decriminalization and deinstitutionalization of status offenders, the development of community-based programs for delinquents and nonoffenders, and the diversion of adolescents from the juvenile justice system. In Florida alone, JJDP funds have supported hundreds of programs which have served tens-of-thousands of children and families in the past decade, but there is still more to do. If JJDP funding is ended, Florida will lose $1.6 million and 37 programs will be forced to close. Even at the current funding level, Florida has insufficient community-based programs and is struggling to develop more nonsecure treatment alternatives for status offenders and nonoffenders.

In the case of programs serving runaways and other troubled youths and their families in Florida, JJDP Act funds support programs providing the following services: (1) outreach services aimed at runaways attracted to the beach communities; (2) intensive crisis counseling for adolescents and their families; (3) specialized counseling services; and (4) training for direct care and counseling staff who work with status offenders and other troubled youth. Without JJDP Act funds services would be eliminated or severely curtailed.

The JJDP Act is one of the only initiatives to stress preventative services for delinquents, status offenders and nonoffenders and, in so doing, recognizes the long-term cost savings and benefits to society. As those of us who work with runaways and other troubled adolescents know, preventing runaway episodes and keeping families together is the best means of insuring that children stay out of the juvenile justice and child welfare systems and mature to become successful members of society.

Those of us in the human and social services recognize the need to reduce the size of the federal deficit, but feel that the intent of the Gramm-Rudman-Hollings Bill was to distribute equally funding cuts across programs, not to eliminate entire programs. The Congress of the United States has consistently shown its support for the JJDP Act in spite of the efforts of the Administration to eliminate the program for the past six years. The JJDP Act has made a significant difference in the lives of millions of children and families throughout the country and the programs funded by the JJDP Act are still needed. Without the programs funded by the JJDP Act, states, including Florida, run the risk of returning to a time when, because of a lack of alternative programming, status offenders and nonoffenders were placed in secure, institutional settings which are far more costly.

Moreover, the impetus in Florida and other states to keep juveniles out of adult correctional facilities gained momentum as a result of the implementation of the Juvenile Justice and Delinquency Prevention Act. However, in some states juveniles are still being placed in adult correctional facilities. Absent the threat of losing their JJDP Act funds some states would not pursue aggressively efforts to keep juveniles out of adult facilities. To eliminate or drastically cut the JJDPA program would undermine the efforts of Congress to address effectively the needs of troubled adolescents and their families and could cause some states to revert to more archaic methods of serving juvenile offenders.

I urge you to block the rescission of funds for Juvenile Justice and Delinquency Prevention and, once again, demonstrate your strong support for the program.

Thank you.

AD HOC COALITION FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

A group of over 40 national, state and local organizations
committed to improving the juvenile justice policies and programs

Statement for the Hearing Record

Senate Subcommittee on Juvenile Justice

March 5, 1986

The Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention appreciates the ongoing efforts of the Senate Subcommittee on Juvenile Justice to assure that Congressional mandates for federal funding and leadership in juvenile justice and delinquency prevention are carried out. More than 40 organizations participate in the Ad Hoc Coalition, representing diverse constituencies, but united in their concern for youth and families in trouble.

The organizations listed below join in urging Congress and the Administration to:

- maintain the "critical minimum" in federal funding for the Juvenile Justice and Delinquency Prevention Act (JJDPA).
- assure federal leadership to continue the momentum of state and local efforts to meet the mandates of the Act.
- bring an end to disruptions in the flow of funds already approved by Congress ($70 million in Fiscal Year 1986) for the JJDPA, especially the Formula Grants (approximately $43 million) to states.

The wide range of experience with both programs and policy affecting youth at risk and in trouble, which is represented by participants in the Ad Hoc Coalition, leads us to focus on what works with these youth and their families: constructive and cost-effective programs for positive youth development, community and family responsibility -- rather than detention -- for youth whose offenses, such as running away and truancy, would not be criminal if committed by adults ("status offenders"), alternatives to court handling of delinquency and pre-delinquent youth, removal of youth from adult jails and lock-ups, etc.

The focus in dealing with problems of youth and their families ought to be on positive steps which lead to healthier families, wherever possible, and to responsible behavior by young people. Community-based programs are far better at this, at far less cost, than jails and detention centers. The resources (financial and other) of state and local government, the judicial system, youth-serving organizations, and concerned citizens can be most effectively brought to bear on these problems with federal leadership and the incentives provided by federal funding. Such funding generates additional support, public and private, throughout the country.

Contention over the need for JJDPA and, especially, arbitrary disruptions in the flow of funds hamper state and community efforts to plan and implement effective measures in juvenile justice and delinquency prevention. Whether funds administered by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) were "frozen" or came under an "apportionment" process or were withheld in some other terminology, the fact remains that state and local planners and service providers have repeatedly been left uncertain, since mid-December, as to when and whether current year funding will be available. Grantees (in participating and nonparticipating states and recipients of direct funding from OJJDP) were given conflicting information from one day to another as to whether any further funding would be available.

States remain in doubt about whether Formula Grant money on which their current year plans depend, in most cases, will be released, despite the clear record of bipartisan Congressional support for funding and implementation of JJDPA.

The Congressional requirement for quarterly reports on funds spent and on plans for expenditures in the following quarter, effective January 1, 1986, has so far been ignored.

Concerns about administration of the Act are heightened by the emphasis in the President's FY 87 budget documents on separating juvenile offenders from adults in jails, which distorts the JJDPA's purposes. Other mandates -- especially for removing youth from adult jails and lock-ups -- have not been met. Further progress is needed to meet other purposes of the Act as well, such as developing community-based alternatives to detention and removing status offenders from secure detention.

When so much public attention is drawn to youth whose future is at risk, we cannot afford to renege on the goals set by the Juvenile Justice and Delinquency Prevention Act. Rather, we need to move toward those goals, as Congress has repeatedly insisted. Organizations participating in the Ad Hoc Coalition represent those who are attempting exactly that, through programs to prevent delinquency, through projects to improve state laws and procedures, and through direct efforts to work with youth whose behavior puts their own future, and society's at risk.

Again, we appreciate the leadership of this Subcommittee and of its chair, Senator Arlen Specter, in continuing to work for responsible implementation of the Juvenile Justice and Delinquency Prevention Act.

American Psychological Association
American Youth Work Center
Association of Junior Leagues
Camp Fire, Inc.
Children's Defense Fund
COSSMHO - National Coalition of Hispanic Health and Human Service Organizations
Caroline Croft, former Director of Runaway Youth Program
General Federation of Women's Clubs
Girls Clubs of America
Justice for Children
National Association of Counties
National Congress of Parents and Teachers (National PTA)
National Education Association
National Network of Runaway and Youth Services
YMCA of the USA

SERVICES
for the
MISSING
INC.
P.O. Box 26
Gibbsboro, NJ 08026

Nicolette Thoman
Executive Director

(609) 783-3101

March 18, 1986

Testimony for
Senate Subcommittee on Juvenile Justice

Missing kids have been called the "new national obsession." Your day begins with them... they smile up at you from the gas bill and your junk mail; they are on the milk carton, the juice carton, as you and your families eat breakfast. "Have you seen me?" they ask. The great majority of these pictures represent children who are considered to be "stranger abductions", what the Federal Bureau of Investigation calls "suspiciously missing." When the National Center for Missing and Exploited Children began, the nation was told that 20,000 to 50,000 children disappeared this way every year. In our hysterical reaction to what was represented to be an imminent threat to our children, we did not stop to think that if this were so, we would be seeing a roll call of vanished children on the nightly news. Lists and lists of children's names would appear in the daily papers, in the same way that lists of men and women killed or missing in the line of duty appeared during the wars our country has seen.

The National Center later revised that figure, after much complaining by the private sector and some media attention. The figure was then quoted as "4,000 to 20,000, including short term abduction lasting only a few minutes, and placing the number of long term abductions at 1,000." The National Center has been in operation since October of 1984. Their own hotline for collecting reports of missing children has logged on only 232 cases of "abductions by unknown individuals" involving children since its inception. When asked for a statistic on the number of stranger abducted children in America, the Center staff is often quoted as saying "I don't know, nobody knows." A sad evaluation, especially in light of the millions of dollars poured into a clearinghouse the private sector had hoped would bridge a gap between law enforcement and private agencies already providing search and system guidance, counseling and photograph dissemination. Instead of bridging the gap, the chasm has widened.

The director of Services for the Missing, Inc. became involved in this issue due to a personal experience. When she was five years old, she was taken from her mother by her father. Soon her mother came and took her back; she did not have contact with her father for almost twenty years. Our agency knows from both personal and professional experience that parentally abducted kids deserve and desperately need our attention. We deal with countless parents of victim children who are stuck in a cycle of jurisdictional hassles when searching for and attempting to recover their children. They receive little or no services from the National Center and usually limited aid from law enforcement agencies. The "guesstimates" for this population range, as quoted by the National Center, from 25,000 to 750,000 children. How can we expect to convince the public that parental abduction is a real problem with this much of a statistical gap? Even the National Center's own figures represent only 4,874 reports of parentally abducted children. Yet, this population remains the largest number of very young missing children; unfortunately, serving the greatest need has not been a strong point of the vehicles presently funded by the Missing Childrens Assistance Act.

In addition to the ridiculous imbalance in attention to small missing children, there is the widespread use of statistics regarding "runaway" youth. The National Center has been quoted as saying that there are more than one million runaway kids in our country every year. This time, the statistic is correct; unfortunately, again nothing has been done to meet the greatest need. The Center reports intake on 4,129 such cases, which represents the majority of intakes completed by the Center since October 19, 1984. In addition to the overwhelming duplication of services that has been accomplished by the funding appropriated, both in the area of abducted and runaway kids, the mandate of the Missing Children's Assistance Act states that the Clearinghouse not take reports on kids over the age of 13. We assume that this mandate is related to the need to maintain solid statistics on runaway and throwaway kids; the systems are already in place to gather this information. This is a primary example of the overwhelming duplication of services.

Prior to the inception of the Missing Children's Assistance Act there were many agencies already providing services to missing children, youth and adults. These agencies typically met their level of service provision relying solely on private donations and their own personal funds to stay in operation. Many of them had been in existence for several years when the National Clearinghouse concept was introduced.

The feeling in the existing field was initially one of relief. The founders and directors of these "grass roots" agencies felt they would finally get some financial support in recognition of their hard won track record of effective service provision, as well as some very necessary aid in bridging the gap between law enforcement and private services providers. We took the Missing Children's Assistance Act at its word, and looked forward to having a "national clearinghouse of information" and "technical assistance in the areas of in location, recovery, and in the prevention, investigation, prosecution and treatment of cases involving missing children." Unfortunately, we found that the "technical assistance" was meant typically for "law enforcement" and "juvenile justice personnel". All of the printed material from the funded by OJJDP has made it clear that the National Center is not a "National Registry for Missing Children". The information we have received tells us that OJJDP has consistently duplicated existing services provided by financially starved agencies across the country and has not planned to pinpoint and fill existing service gaps: no service provision or research has been focused on the "second class kids", those who are victims of parental abduction; "educational information" provided by via the National Center duplicates information already available and other types of "help" books really provide no help at all.

In addition to the already described confusion, the overzealousness of emotionally charged individuals has caused mass confusion in laws and legislators all over the country. A grave injustice is being perpetrated on a great number of children...how many? As we've described, we don't know. Why don't we know? No dollars have been appropriated for research into the issue of parental abduction. In each of the areas of services to the missing, for children, youth and adults (a population completely ignored by the any vehicles presently funded; there exist no cohesiveness of service provision, no counseling, no training and no after care services. The exception is the field which serves runaway youth; these service providers are meeting the needs of their populations to the extent their dollars allow them to. Unfortunately, the focus on stranger abducted children has hurt this field as well; few people see the need to aid a kid who is "voluntarily missing" when they are led to believe that tens of thousands of little children are being snatched by total strangers every year.

The issue of funding is a very sensitive one. Gramm-Rudman has the potential to permanently affect our government's aid to social services. Oddly enough, the National Center has not yet felt the effects of this Act; they are currently operating at peak efficiency with fifty staff members, twice that many volunteers and 2.6 million dollars a year, after a 1.1 million dollar add on was granted in November by OJJDP. There also exists an "Endowment Fund" made up of private donations solicited by the Center which numbers in the hundreds of thousands of dollars and could very well add up to millions of dollars over the next few months. The large scale solicitation that the Center is able to accomplish further squeezes out the services that existed and succeeded prior to their implementation. Even though a letter we received from Jay Howell in June of 1984 states that the Center will provide funds to "grass roots" agencies and that they will refer to us donations by private persons and corporations, quite the opposite has happened.

It has recently come to our attention that OJJDP has granted more than $600,000.00 to the Institute for Non Profit Management, a business consulting firm, and the Adam Walsh Resource Center to implement training for private voluntary organizations. It is impossible for a company that has no experience in missing persons services provision to "train" those of us who were providing services before the Center existed; in addition, the Adam Walsh Resource Center has never provided any direct services to parents of missing children beyond photograph dissemination and information, and is not qualified to participate in the development of any training materials. The RFP process utilized in the granting of these "training" funds was very discreet and limited; in addition, John Walsh, founder and Board member of the Adam Walsh Resource Center is a financially compensated consultant of the National Center.

The Institute for Non Profit Organization Management does not have the insight or the expertise to develop training for such a diverse field as that which serves the missing. In fact, according to information we recently received from INPOM, the intent of the training does not even deal with the location of missing children or ethical services provision, but rather with "financial resource development, marketing, leadership, working with boards of directors, etc." As they have since the inception of the funding for this issue OJJDP is re-inventing the wheel.

There are several ways that the federal government can change the course of the hysteria and monetary waste now increasingly connected with the field we serve. The first step must be to scale down the operation of the National Center. The original goal and the crux of the Missing Children Assistance Act can be carried out for much less money and far less staff than presently being utilized; in fact, it is quite possible that the entire field can be properly recognized and the populations be adequately served for far less than the Missing Children's Assistance Act appropriated for the issue.

From the point of view of professionals in the field, the largest service gap is one of valid information; this was to be one of the National Clearinghouse's major goals. Unfortunately, this goal has not been met; what is needed now is a re-education process, using materials gathered from professional service providers and child development experts. This is one area in which the already established mailing lists and publication dollars can be well spent.

In addition, we need a Clearinghouse that will provide referrals for parents and interested citizens to agencies that have proven a track record of service; the proof should not be measured by an agency's ability to "pass" a "training course" developed by non providers, nor should it be based simply on the organization's non profit status. It would seem that a logical organization for the development of standards and ethics would be the National Network of Runaway and Youth Services; in fact, there was a resolution passed by the National Network's membership just this February at the Annual Symposium that pledges the Network's support in the establishment of standards and program models. Dollars would need to be appropriated to the Network for this purpose; their history of service value plainly states that this organization would be a financially wise choice, as well. Networks of State wide Coalitions already exist for the use of service providers; these Coalitions have pledged to be open to effective working relationships with missing children service providers. The members of these Coalitions have backgrounds and expertise in each of the targeted "trainings" planned by IMPDM, as well as in ethical service provision, case management, counseling modalities, and program planning and development.

The method of funding used by OJJDP for service provision to the populations involved in the missing children's issue has been somewhat unorthodox in that private services were not contracted and grant making processes have not been as competitive as in other fields. The process typically used for federal funding of projects involves the writing of grants by agencies interested in applying for the funds who have been notified by a Request for Proposals. The grants submitted are evaluated by panels of professional service providers and grants are rated according to the documentation of need and ability provided by the prospective grantee. This type of competitive process has proven healthy for the quality of services provided and is a process that is necessary to the overall validity of federally funded programs. The types of "training" being offered by IMPDM include the same training available through the National Network's Coalitions across the country; located in ten regions, these Coalitions are made up of concerned and involved professionals with diverse backgrounds and fields of expertise. It seems financially unwise to fund a separate "training" program when the resources for this type of "organizational management training" are available to missing children's service providers in their own states for little or no financial commitment, in addition to the obvious benefit of statewide and regionalized networking.

In the area of photograph dissemination, there has been a great deal of financial waste. Unanswered questions regarding the effectiveness of dissemination efforts on the actual location of the missing are compounded by the massive amounts of dollars expended to fund the National Hotline. After one showing of the movie "Adam", seen by some as the largest exploiter of the issue, ten children were located. Nine of these were taken by a parent, the tenth was a runaway youth. About $34,000.00 was spent just to take reports on sightings after this movie; in this instance alone, the cost of service delivery per child located, aside from the 3 million dollars spent to produce the movie, was $3,400.00 per child.

The Hotline dollars would perhaps be more wisely spent if the FBI were given responsibility for the intakes on cases of suspiciously missing children and the Hotline number was not plastered in public places across the country. Of the 17,376 sighting calls taken on the Hotline since October 1984, only 3,576 children were located; of these 73 were considered to be stranger abductions. Of these 73 children, 31 were found dead; it is unlikely that a sighting report aided in the location of these dead children. There is no data as to how many of these locations were made as a direct result of the sightings calls, but based on the experience of our agency, a very small percentage of sightings result in an actual location. In general, cases are resolved through the voluntary return of the missing person or through the impact of a private voluntary organization or law enforcement. The Hotline would be more appropriately handled by FBI agents who are trained to investigate suspicious missing cases; if the number was available to persons referred by law enforcement or victim witness programs, the cost of running the Hotline would lessen considerably. This type of downscale of the Hotline number would have an almost immediate effect on the hysteria associated with "stranger abducted" children and would weed out the cases of kids who are presumed dead, not suspiciously missing.

Searches for children who are parentally abducted should be conducted by operative private voluntary organizations funded for that purpose after they have completed valid training programs. These "grass roots" providers are the professionals in the field; the history of social services funding has shown the financial and social value of contracting existing services to address a problem. We, the "private voluntary organizations" already have the proven ability to aid parents of victim children, and we are here, on their level. Parents and kids in crisis deserve the best possible service we can provide them with; as tax payers they are deserving of programs that show an understanding of the value of their tax dollars.

We are dealing with parents of victim children who have stopped voting, stopped answering the Census, stopped taking an interest in their country. Not only is this issue literally breaking the backbone of the family unit and costing the government millions of dollars, it is also affecting the attitudes of Americans who expect their government to protect them and their children.

We feel very strongly that our legislators supported the Missing Children's Assistance Act in order to provide aid to their local constituencies working on behalf of the missing. It is also our belief that the intent of the legislation was to provide valid, effective services to parents and victim children. Unfortunately, what has evolved is a bureaucracy that is not providing valid or effective services to the general public or to parents and victim children, and that has adversely affected existing services. We know that this can be changed and that the intent can become a reality; we are counting on our elected officials to ensure that the existing problems will be changed so that families of missing and safe children will be best served.

Respectfully submitted,

Nikolette Thoman

Nikolette Thoman
for
Services for the Missing, Inc.

February 11, 1986

Dear Sir:

I'm the grandfather of James Robert Freels, III, age 8 abducted by his father in June of 1985. (See attached poster).

Missing children of families is devastating. In the case of Jimmy it is perticularly heartbreaking 1) because he is in Central America, a land of mostly non Americans and 2) his father's persuits, which incompass fighting in Nicaragua, expose him to the dangers of war and being unwelcomed.

I'm here to ask you to help families like mine, especially the parents, like my daughter, who are suffering emotional and financial burdens. You can help by endorsing laws to make state and national laws strong and uniform and international laws human. I request you to initiate and/or endorse laws to make parental abduction a Felony.

The following are some of the problems I have encountered:

a) New Jersey's law treats parental abduction as a misdemeanor. Even though the FBI knew my grandson was going to be kidnapped, were aware the father had inclinations to invade Nicaragua, they could not and cannot help because there is no felony charge.

b) The State Department when requested to determine if Jimmy had a passport responded "no passport issued". Independently it was learned a passport was issued. The state department required special documents because there was no felony charge.

c) The state Department when requested to determine whether the Trio entered Central America via border checks, came up negative. It was subsequently learned papers indicating border crossings did exist. Again the follow-up was slow because there was no felony charges.

d) We know they have been in Central America, namely Guatemula and may still be there, we now are faced with the problem of getting Jimmy back when he is found. The major problem is the law enforcement agencies even in Central America would be more responsive if there was a felony charge.

This nightmare continues. I am sure, based on my continued repore with the FBI, that they could and would have located my grandson if the abduction was judged a felony.

Please help!

A grateful grandfather,
James E. Kuty
James E. Kuty

P.S. See attachments of other organizations trying to help.

HAVE YOU SEEN THIS CHILD ?

WANTED:

ARREST WARRANT: WL 97548
NCIC: 1236 FILE 5

ABDUCTOR

NAME: JAMES ROBERT FREELS, JR
BIRTH: 11-29-49 HT: 5' 10"
WT: 230 HAIR: BROWN(BALDING)
EYES: BROWN
SOCIAL SECURITY: 408-82-6198
OCCUPATION: SECURITY
HOBBIES: FISHING, BOWLING
MISC: A "SOLDIER OF FORTUNE". DEALING WITH THE "AMERICAN FREEDOM FIGHTERS". DRIVING 4 DOOR 85 GRAY VOLVO, PA. LISC. KPU741. REG. NO. YV1AX884XF3096730 (DOES NOT HAVE TITLE). LAST SEEN IN GUATEMALA. MAYBE IN BELISE, EL SALVADOR, HONDURAS OR COSTA RICA. PASSPORT:02304617. ISSUED:10-04-82

MISSING CHILD

NCIC: 1245 FILE 6

CHILD

NAME: JAMES ROBERT FREELS, III (JIMMY)
BIRTH: 03-14-77 HT.: 4' 2" WT: 65#
HAIR: BROWN EYES: BROWN
MISC.: 1/2" SCAR UNDER CHIN, HAS FRECKLES, SPACE BETWEEN UPPER FRONT TEETH
HOBBIES: FISHING, LITTLE LEAGUE BASEBALL AND CAN SNOW SKI. LOVES RIDING 20" BMX
BACKGROUND:
ABDUCTED 06-21-85 FROM WOODSTOWN, N.J. BY FATHER. COMPLETED FIRST GRADE: TEACHER:MRS. RIDGEWAY. SISTER: DAWN. MOTHER: DEBORAH A. FREELS. HOME: 38 HUNT ST., WOODSTOWN, N.J. GRANDPARENTS: JIM & MARY ANN KUTY(COOTY) FRIEND: BRIAN FLITCRAFT
PASSPORT: F1148227 ISSUED: 6/3/85

ACCOMPLICE

NAME: MAUREEN WILKIN (MOE OR ANN)
BIRTH: 10-03-52
HT.: 5' 2" WT.: 150
HAIR: LIGHT BROWN
EYES: HAZEL, USUALLY WEARS GLASSES
MOTHER: MARGRET PANHANER, ADDRESS WELLSBORO, PA
PASSPORT: F1148314
ISSUED: 5/31/85

IF YOU HAVE INFORMATION PLEASE CONTACT

POLICE OFFICER: CHIEF WALT SIMPKINS, WOODSTOWN, N. J. 609-769-2121
OR YOUR LOCAL POLICE DEPARTMENT

TO: SENATE SUBCOMMITTEE ON JUVENILE JUSTICE

STATEMENT OF

VLAD ETLIN, Ph.D, PARENTAL
KIDNAPING VICTIM-PARENT

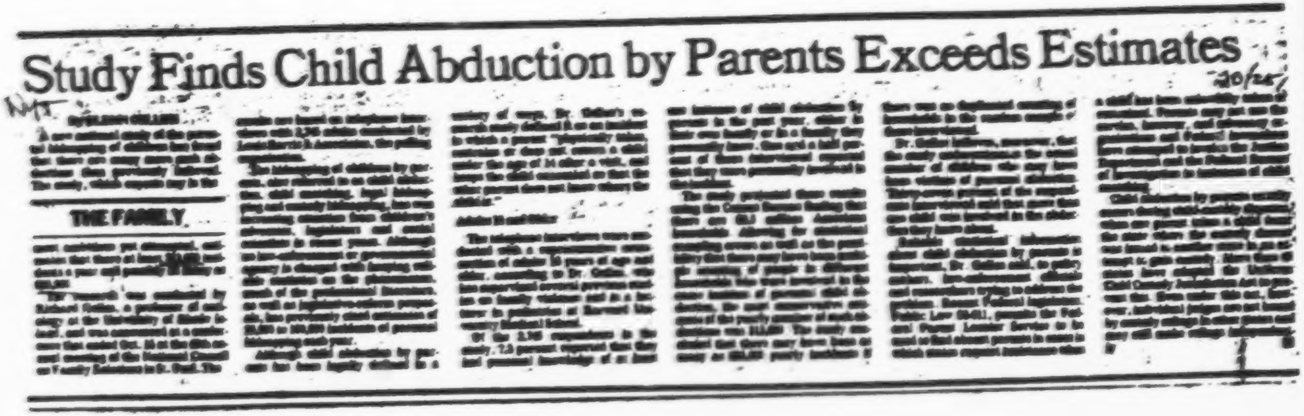
I am Vlad Etlin, I live in Virginia, I am a custodial parent, my son was kidnaped by my ex-wife about four years ago.

Parental kidnaping is the highest degree of child abuse with consequences to the children and to the society not well understood by the society.
Recent and the only research done on the scope of parental kidnapings (see attached) shows that there are about 500,000 kidnapings every year. Among a total number of missing children, runaways and stranger abductions including, parental kidnapings is the only and the largest group of missing children beeing maliciously abused by their parents without any protection or help from the Government, and our society is paying heavy price for the consequences of these children abuse.

I have tried to get help from local law inforcement officials and from the FBI to no avail,because there is no uniform (federal) law protecting a child (by denouncing child kidnaping by any parent as a crime),and most states protect a custodial parent not a child.
Interstate cases exacerbate the problem.
Such lawless situation encourages parental fightings and kidnapings.

The most effective help in locating missing children is exposing their pictures and kidnaper-parents in the media.
Although Government allocates money for that purpose I do not get any help because these funds are used mostly for the children kidnaped by strangers who make a very minute fraction of children needed help: SO MUCH (MONEY) FOR SO FEW.

New York Times, October 25, 1983



Study Finds Child Abduction by Parents Exceeds Estimates

NYT

10/25/

THE FAMILY

TESTIMONY OF

Brian L. Wilcox, Ph.D

Administrative Officer for Child, Youth & Family Policy

American Psychological Association

on behalf of

THE AMERICAN PSYCHOLOGICAL ASSOCIATION

Mr. Chairman and members of the Subcommittee on Juvenile Justice, it is my pleasure to provide testimony on behalf of the American Psychological Association for this oversight hearing on the Office of Juvenile Justice and Delinquency Prevention.

I am Dr. Brian L. Wilcox, Administrative Officer for Child, Youth, and Family Policy at the American Psychological Association (APA). For several years, while working for APA and previously as a faculty member at the University of Virginia and a Congressional Science Fellow in the office of Senator Bill Bradley, I have been actively involved in the development and monitoring of Federal policies in the area of juvenile justice and deliquency prevention. I have also conducted evaluative and policy research on juvenile justice programs while an intern at the Texas Youth Council.

In my testimony, which I will keep brief, I will speak to just a few of the many issues which I hope this Subcommittee will consider. I will first address the continuing selective freeze on program funds within the Office of Juvenile Justice and Delinquency Prevention (OJJDP). I will also address the Administration's FY87 budget request for OJJDP, focusing on the Administration's rationale for the proposed termination of OJJDP.

The Freeze on OJJDP Funds

On December 13, 1985, President Reagan signed the bill passed by Congress which appropriated $70 million for OJJDP for FY86. That same day, a directive issued by the Office of Manangement and Budget recommended that all FY86 funds for OJJDP be frozen pending a forthcoming recission request for the appropriated OJJDP funds. In response to this recommendation, the Department of Justice instituted an informal freeze. Despite Senate passage of S Res 278, expressing the Senate's unanimous disapproval of this action, the freeze remained in effect.

Assistant Attorney General John R. Bolton has replied to those protesting this freeze by denying that "even an informal freeze" on OJJDP funds is in effect. While this statement is literally true, it remains the case that funding for a number of OJJDP programs remains frozen. Formula grant checks have not been sent to states. Support for OJJDP research programs is on hold. What, then, is being funded while these programs are frozen? The Department of Justice is less forthcoming on this topic. Some indication of OJJDP's priorities can be found in an article in the February 28 edition of the Washington Post. On January 27, OJJDP director Alfred S. Regnery approved a $186,710 noncompetitive grant to support the development of a high school course on the Constitution by conservative activist James McClellan of the Center for Judicial Studies. Regnery admitted that the conservative ideological viewpoint espoused by the grantee played a role in the approval of the grant. This, of course, comes as no surprise to those who have followed the activities of OJJDP over the past several years. Still, given the history of ideological influence on grant awards within OJJDP, it is surprising that Director Regnery would promise funding of $46,678 for the first three months of the project even though he knew that within a week the Administration would request a recission of all OJJDP funds.

The American Psychological Association is disturbed by the freeze placed on certain programs within OJJDP. No statutory justification exists within the Congressional Budget and Impoundment Control Act for the hold placed on funding of many programs prior to the President's recission request. This action has disrupted or threatens to disrupt many state programs as well as many pending research programs. I urge the Senate to pass Senate Concurrent Resolution 106, submitted by Senator Specter, disapproving of the request for recission of juvenile justice funds, and thereby expedite the end of this funding freeze.

The President's Budget Request

In his FY87 budget proposal the President has once again recommended that the juvenile justice programs in the Department of Justice be terminated and that funds appropriated for FY86 be rescinded. The Administration's rationale for this action is as follows: "The objective of the juvenile justice program -- to separate incarcerated juveniles from adult offenders -- has largely been met."

Even if one accepted this objective as the sole goal of the Juvenile Justice and Deliquency Prevention Act (JJDPA), available data indicate that despite the remarkable successes of the JJDPA, an estimated 35,000 status offenders and nonoffenders are still being held in secure juvenile detention facilities and an estimated 479,000 youth are being held in adult lockups and jails each year. Clearly, much remains to be done.

It is also important to bear in mind, when considering the Administration's rationale for a zero budget, that the purposes of the JJDPA extend beyond the separation of adult and juvenile offenders and the deinstitutionalization of status offenders. On several occasions, Congress has clearly indicated that OJJDP should "establish a centralized research effort on the problems of juvenile delinquency." Recent Congressional actions have strengthened this function by instituting a full peer review system at OJJDP.

The President's budget suggests that this function of OJJDP, the generation of knowledge concerning the causes, consequences, prevention, and treatment of juvenile delinquency, is no longer necessary. This is an ill-informed and short-sighted point of view. We have learned much in the last decade regarding juvenile delinquency, child abductions, and runaway and homeless youth, but in many critical areas our knowledge base remains woefully inadequate for the task of designing better services and programs to meet the needs of the nation's youth and their families. For example, we know little about the psychological effects of both child abduction and sexual exploitation on children and their families. Another area in critical need of attention is research on the legal participation of child abuse victims. We need to learn more about the short and long-term effects of legal involvement on children. We also need more research on the development of interventions to facilitate children's participation in legal proceedings. Congress has mandated that OJJDP fund studies in these areas; they have yet to be funded. An additional broad area in need of further study is delinquency prevention. Successful prevention programs would reap tremendous benefits in the fight against crime and the fight against increasing budget deficits. Much more attention needs to be devoted to the development and testing of such programs. Finally, with respect to the treatment of juvenile offenders, we need more research on methods of diverting them away from institutional treatment facilities towards community-based alternatives to incarceration.

Summary

The mandate of the JJDPA has not been completed. Many youth continue to be held in adult facilities. Many status offenders remain in secure facilities. Our knowledge of the causes and consequencies of delinquency, of the psychological effects of child abduction, of the effects on children of courtroom participation in child abuse cases, and of many other such topics, remains meager. Answers to these questions have clear implications for the development of juvenile justice policy. Generation of knowledge to answer these types of questions is a clear Federal responsibility; states and localities possess neither the resources nor the expertise to pursue these varied research agenda.

Over the years the American Psychological Association has worked closely with Congress to develop an effective Office of Juvenile Justice and Delinquency Prevention. While progress has been made, much work remains. The American Psychological Association urges Congress to continue its support of OJJDP and to continue its efforts to strengthen the programs within OJJDP. Further, the American Psychological Association urges Congress to take the necessary action to free up those funds appropriated for OJJDP during FY 86.

Thank you for the opportunity to provide testimony during this oversight hearing on the Office of Juvenile Justice and Delinquency Prevention. If the American Psychological Association can be of any further assistance to the Subcommittee, please do not hesitate to call on us.

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